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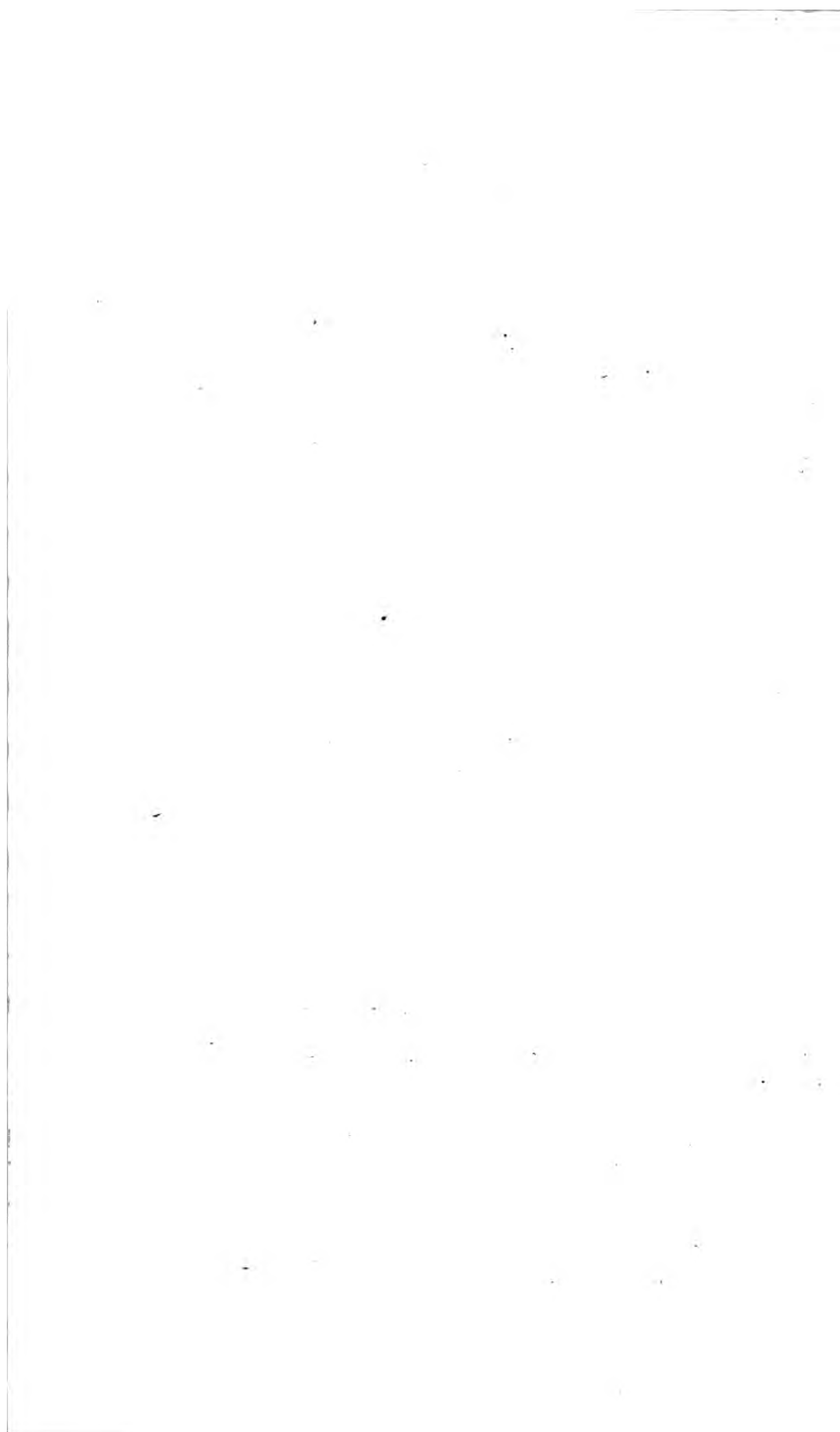




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*The R. Hon. Ch. W. W. W.*  
*R R R*

**BRITISH AND FOREIGN  
STATE PAPERS.**

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1824.—1825.  
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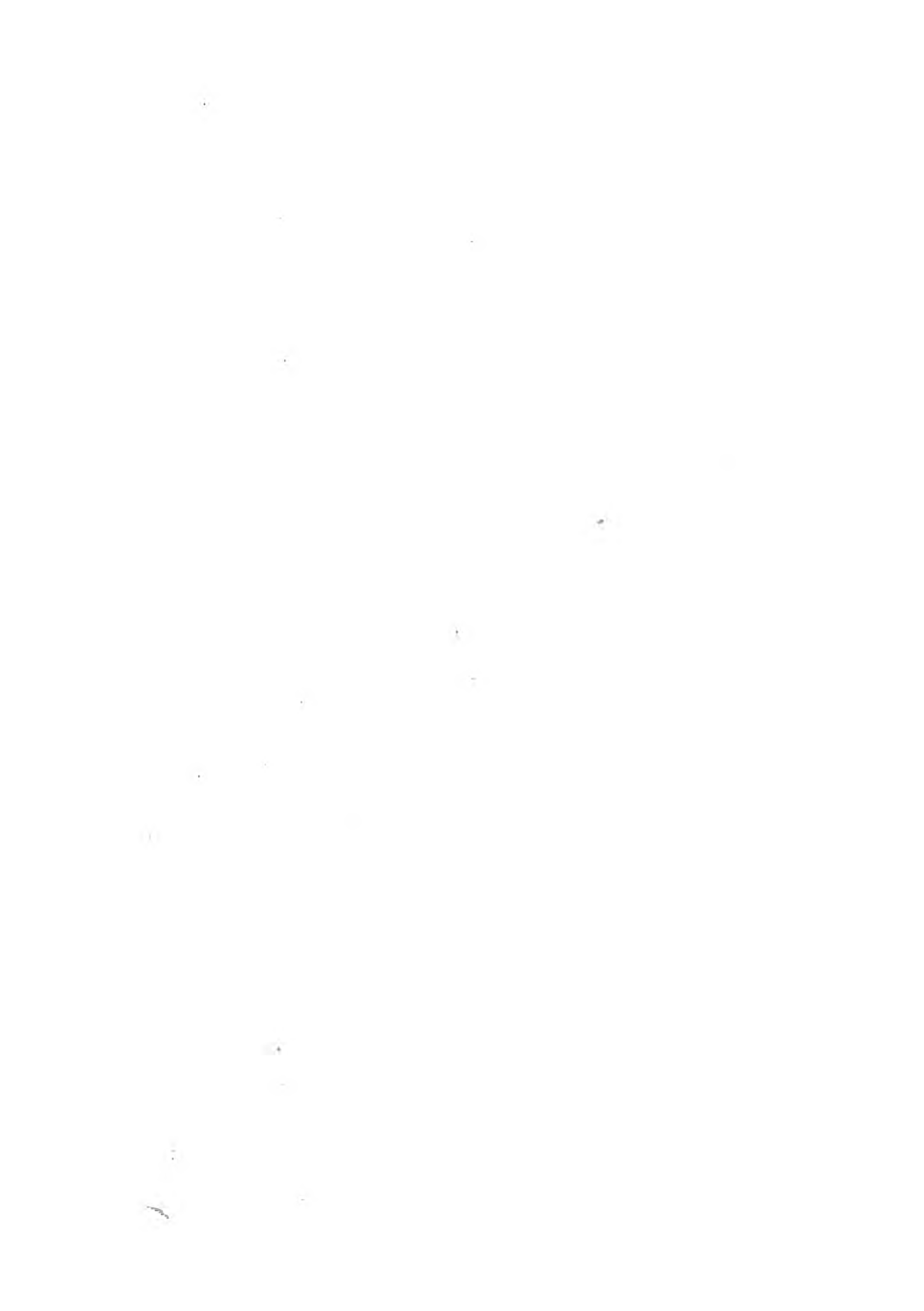
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London:

PRINTED BY J. HARRISON AND SON, LANCASTER COURT, STRAND.

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1826.



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# BRITISH AND FOREIGN

## State Papers.

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*SPEECH of The Lords Commissioners to both Houses of Parliament, on Thursday, February 3, 1825.*

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*My Lords, and Gentlemen,*

**W**E are commanded by His Majesty to express to you the gratification which His Majesty derives from the continuance and progressive increase of that Public Prosperity upon which His Majesty congratulated you at the Opening of the last Session of Parliament.

There never was a Period in the history of this Country, when all the great Interests of the Nation were at the same time in so thriving a condition, or when a feeling of content and satisfaction was more widely diffused through all Classes of the *British* People.

It is no small addition to the gratification of His Majesty, that *Ireland* is participating in the general prosperity. The Outrages, for the suppression of which extraordinary powers were confided to His Majesty, have so far ceased as to warrant the suspension of the exercise of those powers in most of the Districts heretofore disturbed.

Industry and commercial enterprize are extending themselves in that Part of the United Kingdom. It is therefore the more to be regretted that Associations should exist in *Ireland*, which have adopted Proceedings irreconcilable with the spirit of the Constitution, and calculated, by exciting alarm, and by exasperating animosities, to endanger the peace of society, and to retard the course of National Improvement.

His Majesty relies upon your wisdom to consider, without delay, the means of applying a remedy to this evil.

His Majesty further recommends the renewal of the Inquiries instituted last Session into the State of *Ireland*.

His Majesty has seen with regret the interruption of tranquillity in *India*, by the unprovoked aggression and extravagant pretensions of the *Burmese* Government, which rendered hostile operations against that State unavoidable.

It is, however, satisfactory to find that none of the other Native Powers have manifested any unfriendly disposition, and that the bravery and conduct displayed by the Forces already employed against the Enemy afford the most favourable prospect of a successful termination of the Contest.



*Gentlemen of the House of Commons,*

His Majesty has directed us to inform you, that the Estimates of the Year will be forthwith laid before you.

The state of *India*, and Circumstances connected with other Parts of His Majesty's Foreign Possessions, will render some augmentation in His Military Establishments indispensable.

His Majesty has, however, the sincere gratification of believing, that, notwithstanding the increase of expence arising out of this augmentation, such is the flourishing condition and progressive improvement of the Revenue, that it will still be in your power, without affecting Public Credit, to give additional facilities to the National Industry, and to make a further reduction in the burthens of His People.

*My Lords and Gentlemen,*

His Majesty commands us to inform you, that His Majesty continues to receive from His Allies, and generally from all Princes and States, assurances of their unabated desire to maintain and cultivate the relations of Peace with His Majesty, and with Each Other; and that it is His Majesty's constant endeavour to preserve the general tranquillity.

The Negotiations which have been so long carried on, through His Majesty's Ambassador at *Constantinople*, between the Emperor of *Russia* and *The Ottoman Porte*, have been brought to an amicable issue.

His Majesty has directed to be laid before you Copies of Arrangements which have been entered into with the Kingdoms of *Denmark* and *Hanover*, for improving the Commercial Intercourse between those States and the United Kingdom.

A Treaty, having for its object the more effectual suppression of the Slave Trade, has been concluded between His Majesty and the King of *Sweden*; a Copy of which Treaty (as soon as the Ratifications thereof shall have been exchanged) His Majesty has directed to be laid before you.

Some difficulties have arisen with respect to the Ratification of the Treaty for the same object, which was negotiated last Year between His Majesty and The United States of *America*.

These difficulties however, His Majesty trusts, will not finally impede the conclusion of so beneficial an arrangement.

In conformity with the declarations which have been repeatedly made by His Majesty, His Majesty has taken measures for confirming, by Treaties, the Commercial Relations already subsisting between this Kingdom and those Countries of *America* which appear to have established their separation from *Spain*.

So soon as these Treaties shall be completed, His Majesty will direct Copies of them to be laid before you.

His Majesty commands us not to conclude without congratulating you upon the continued improvement in the state of the Agricultural

Interest, the solid foundation of our National Prosperity; nor without informing you, that evident advantage has been derived from the relief which you have recently given to Commerce, by the removal of inconvenient restrictions.

His Majesty recommends to you to persevere (as circumstances may allow) in the removal of similar restrictions; and His Majesty directs us to assure you, that you may rely upon His Majesty's cordial co-operation in fostering and extending that Commerce, which, whilst it is, under the Blessing of Providence, a main source of strength and power to this Country, contributes in no less a degree to the happiness and civilization of Mankind.

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*TREATY between His Britannick Majesty and His Majesty The King of Sweden and Norway, for preventing their Subjects from engaging in any Traffick in Slaves.—Signed at Stockholm, November 6, 1824.*

(Presented to Parliament May 16, 1825.)

*In the Name of the Most Holy and Undivided Trinity.*

*Au Nom de la Très Sainte et Indivisible Trinité.*

His Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty The King of Sweden and Norway, animated by a mutual desire to adopt the most effectual measures for putting a stop to the carrying on of the Slave Trade by Their respective Subjects, and for preventing Their respective Flags from being employed by other Nations, who may be engaged therein, as a protection to so odious a Traffick, and desiring, for this purpose, to give a further development to the principle laid down by the Internal Legislation of the two Countries, and mutually acknowledged, as well by the 4th Paragraph of the Separate Article of the Treaty concluded at Stockholm on the 3rd day of March 1813, as by the Declaration signed at Vienna on the 8th day

Sa Majesté Le Roi du Royaume Uni de La Grande Bretagne et d'Irlande, et Sa Majesté Le Roi de Suède et de Norvège, animées d'un désir mutuel d'adopter les mesures les plus efficaces pour empêcher le Commerce des Esclaves par Leurs Sujets respectifs, et prévenir que Leurs Pavillons respectifs ne soient employés par d'autres Nations, qui s'y trouveraient engagées, pour protéger un trafic aussi odieux, et voulant, à cet effet, donner un développement ultérieur au principe posé par la Législation Intérieure des deux Pays, et reconnu des deux côtés, tant par le Paragraphe 4 de l'Article Séparé du Traité conclu à Stockholm le 3 Mars 1813, que par la Déclaration signée à Vienne le 8 Février 1815, Leurs dites Majestés ont résolu de procéder à la conclusion d'un Traité Spécial pour

of February 1815,—Their said Majesties have resolved to proceed to the conclusion of a Special Treaty, for the attainment of this salutary object, and have, therefore, named as Plenipotentiaries, *ad hoc*,—His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable Sir Benjamin Bloomfield, One of His Majesty's Most Honourable Privy Council, a Major-General, Colonel Commandant of the First Battalion of the Royal Regiment of Artillery, Knight Grand Cross of the Most Honourable Order of the Bath, and of the Royal Hanoverian Guelphic Order, and Envoy Extraordinary and Minister Plenipotentiary of His said Majesty, to His Majesty The King of Sweden and Norway;—and His Majesty The King of Sweden and Norway, the Sieur Gustavus, Count de Wetterstedt, His Minister of State and for Foreign Affairs, Knight Commander of His Orders, Knight of the Order of the Red Eagle of Prussia, of the first Class, Knight Grand Cross of the Order of Leopold of Austria, one of the Eighteen of the Swedish Academy;—who, having exchanged their respective Full Powers, found in good and due form, have agreed on the following Articles :

I. The Laws of Sweden and Norway, from the remotest time, never having recognized the existence of Slavery, under any form whatever, and the Slave Trade being comprehended in that category, already more specially ex-

atteindre ce but salulaire, et ont nommé, à cet effet, des Plénipotentiaires, savoir,—Sa Majesté Le Roi du Royaume Uni de La Grande Bretagne et d'Irlande, Le Très Honorable Chevalier Benjamin Bloomfield, Conseiller de Sa Majesté Britannique en Son Conseil Privé, Général Major des Armées, et Colonel en Chef du Premier Bataillon du Régiment d'Artillerie de Sa dite Majesté, Chevalier Grand Croix du Très Honorable Ordre du Bain, Grand Croix de l'Ordre Royal Guelphique de Hannovre, et Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa dite Majesté, près Sa Majesté Le Roi de Suède et de Norvège;—et Sa Majesté Le Roi de Suède et de Norvège, le Sieur Gustave Comte de Wetterstedt, Son Ministre d'Etat et des Affaires Etrangères, Chevalier Commandeur de Ses Ordres, Chevalier de l'Ordre de l'Aigle Rouge de Prusse de la Première Classe, Grand Croix de l'Ordre de Léopold d'Autriche, un des Dix-Huit de l'Académie Suédoise;—lesquels, après avoir échangé leurs Pleins-pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :

I. Les Loix de la Suède et de la Norvège, ayant, depuis un tems immémorial, ignoré jusqu'à l'existence de l'Esclavage, sous quelque forme qu'il se présentât, et la Traite des Nègres ayant été comprise dans cette même caté-



pressed, with regard to Norway, by the Royal Ordinance annexed to the present Treaty, (sub litterâ B.) dated the 16th of March 1792,—and the Laws of the United Kingdom of Great Britain and Ireland, prohibiting to the Subjects of His Britannick Majesty, under the severest penalties, any participation whatever in a Commerce degrading to humanity, and unworthy of a civilized Age,—His Majesty The King of Sweden and Norway engages Himself, in consequence, to reiterate within the space of six months after the ratification of the present Treaty, or sooner if possible, to all His Subjects, in the most explicit manner, the prohibition already existing, that they should take any part in the Traffick in Slaves.

In order to render more effective the measures for the suppression of the said Traffick, to which the King of Sweden and Norway has pledged Himself by the present Treaty, and with the view of assimilating them more nearly to those already adopted by Great Britain, His said Majesty engages to add to them, as soon as possible, with the concurrence of the States General of the Kingdom of Sweden, and of the Storthing of the Kingdom of Norway, penal Laws, according to the spirit of the Legislation of each Country, which Laws shall visit with a punishment proportionate to the magnitude of the crime, any participation whatever, by Swedish or Norwegian Subjects, in the Slave Trade.

gorie, déjà plus spécialement exprimée, par rapport à la Norvège, par l'Ordonnance Royale, annexée au présent Traité, (sub litterâ B.) en date du 16 Mars 1792,—et les Loix du Royaume Uni de La Grande Bretagne et d'Irlande, défendant de même aux Sujets de Sa Majesté Britannique, sous les peines les plus graves, toute participation à ce Commerce dégradant pour l'humanité, et indigne d'un Siècle civilisé,—Sa Majesté Le Roi de Suède et de Norvège S'engage, en conséquence, à répéter, dans le terme de six mois après la ratification du présent Traité, ou plutôt, si faire se pourra, à tous Ses Sujets, de la manière la plus explicite, la défense, déjà existante, de prendre aucune part quelconque à la Traite des Nègres.

Afin de rendre plus efficaces les mesures répressives contre la dite Traite, auxquelles Sa Majesté Le Roi de Suède et de Norvège S'est engagée par le présent Traité, et dans le but de les mettre dans une plus grande harmonie avec celles déjà adoptées par La Grande Bretagne, Sa dite Majesté s'engage à y ajouter, aussitôt que possible, avec le concours des Etats Généraux du Royaume de Suède, et du Storthing du Royaume de Norvège, des Loix pénales, d'après l'esprit de la Législation de chaque Pays, lesquelles frapperaient d'une peine proportionnée à la gravité du délit, toute participation, de la part des Sujets Suédois ou Norvégiens, à la Traite des Noirs.

In the mean time, and until these subsequent arrangements can be put in force, the tenour of the Royal Ordinance of the 7th of February 1823, of which a Copy is annexed to the present Treaty, (sub litterâ A.) is formally maintained and confirmed by the present Article.

II. In order more completely to prevent all infringement of the spirit of the preceding Article, the Two High Contracting Parties declare, that the Vessels belonging to Their respective Subjects, which, contrary to all expectation, may be found employed in this forbidden Traffick, shall, by that act, lose all right to claim the protection of Their Flag; and They mutually consent that the Ships of Their Royal Navies, which shall be provided with Special Instructions for this purpose, as hereinafter mentioned, shall visit such merchant-vessels of the two Nations as may be suspected, upon reasonable grounds, of being concerned in the Traffick of Slaves, contrary to the provisions of this Treaty, and, in case thereof, may detain and bring away such Vessels, in order that they may be brought to trial, in the manner stipulated in the fourth Article of the present Treaty.

III. In order to explain the mode of execution of the preceding Article, it is agreed:

1°. That such reciprocal Right of visit and detention shall not be exercised within the Mediterra-

En attendant, et jusqu'à ce que ces dispositions ultérieures puissent être mises en vigueur, la teneur de l'Ordonnance Royale du 7 Février 1823, dont Copie se trouve jointe au présent Traité, (sub litterâ A.) est formellement maintenue et confirmée par le présent Article.

II. Afin de prévenir plus complètement toute contravention à la teneur de l'Article précédent, les Deux Hautes Parties Contractantes déclarent, que les Vaisseaux appartenans à leurs Sujets respectifs, qui, contre toute attente, seraient trouvés employés dans ce Trafic défendu, auront, par ce seul fait, perdu tout droit de réclamer la protection de leur Pavillon; et Elles consentent mutuellement à ce que les Vaisseaux de Leurs Marines Royales, qui seront munis d'Instructions Spéciales à cet effet, telles qu'on les trouve mentionnées ci-après, pourront visiter les navires marchands des deux Nations, lesquels, sur des présomptions raisonnables, seraient soupçonnés d'être engagés dans le Trafic d'Esclaves, en contravention aux dispositions du présent Traité, et, dans ce cas, ils pourront arrêter et amener les Navires, pour être mis en jugement, de la manière qui se trouve stipulée dans l'Article 4 du présent Traité.

III. Afin d'expliquer le mode d'exécution de l'Article précédent, il est convenu:—

1°. Que ce Droit réciproque de visite et de détention, ne sauroit être exercé dans la Mer Mé-

near Sea, nor within the European Seas, lying without the Straits of Gibraltar, to the Northward of the 37th degree of North Latitude, and within, and to the Eastward of the Meridian of Ferro.

2°. That all Ships of the Royal Navies of the two Nations, which shall be hereafter employed to prevent the Traffick in Slaves, shall be furnished, by their respective Governments, with a Copy, in the English, Swedish, and Norwegian languages, of the Instructions annexed (sub littérâ C.) to the present Treaty, and which shall be considered as an integral part thereof.

These Instructions shall not be altered or modified, but with the common consent of the High Contracting Parties.

3°. That the names of the several Vessels furnished with such Instructions, the force of each, and the names of their several Commanders, shall be, from time to time communicated forthwith, by the Power issuing the same, to the other High Contracting Party.

4°. That the ships of each of the Royal Navies, authorized to make such visit as aforesaid, shall not exceed the number of twelve, belonging to either of the High Contracting Parties, without the previous consent of the other High Contracting Party.

5°. That the right of visit, such as has thus been reciprocally agreed on by the two High Contracting Parties, shall not be

ditérranée, ni dans les Mers Européennes, situées hors du Déroit de Gibraltar, au Nord du 37<sup>m</sup>e. degré de Latitude Septentrionale, et à l'Est du Méridien de Ferro.

2°. Que les Vaisseaux de la Marine Royale des deux Etats, qui seront destinés à prévenir le Commerce d'Esclaves, seront munis, par leurs Gouvernemens respectifs, d'une Copie, en Anglois, en Suédois, et en Norvégien, des Instructions annexées (sub littérâ C.) au présent Traité, duquel elles sont considérées comme partie intégrante.

Ces Instructions ne pourront être changées ou modifiées, que d'un commun accord entre les Hautes Parties Contractantes.

3°. Que les noms des différens Vaisseaux munis de pareilles Instructions, leurs forces respectives, et les noms des Commandans, seront communiqués, de tems en tems, et immédiatement, à mesure de la délivrance d'icelles par la Puissance qui en fait l'expédition, à l'autre Partie Contractante.

4°. Que le nombre des Vaisseaux de chacune des Marines Royales, autorisés à exécuter la visite susdite, ne pourra excéder celui de douze, appartenant à chacune des Hautes Parties Contractantes, sans le consentement préalable de l'autre Puissance.

5°. Que le droit de visite, tel qu'il vient d'être mutuellement accordé par les deux Hautes Parties Contractantes, ne pourra

directly exercised upon Merchant vessels, sailing under the convoy of one or more Ships of War of either of the two Powers.

If, contrary to all expectation, the Commander of a Ship of War, of either of the two Governments, employed in the suppression of the Slave Trade, should have reasonable grounds for suspecting that a Ship, under Convoy of the other Government, should, in fact, have on board Slaves destined for sale, or be otherwise engaged in the Traffick of Slaves, contrary to the Provisions of this Treaty, he shall address himself to the Commander of the Convoy, in order to communicate his suspicions; the latter shall then proceed to visit the suspected ship, accompanied by either the Commander of the Cruizer himself, or any Officer whom the latter may delegate as his representative.

The Commander of the Convoy shall afford all the aid and assistance possible to the visit of the suspected Ships, and to their eventual detention, according to the spirit and true sense of the present Treaty.

IV. In order to bring to adjudication, with the least delay and inconvenience, the Ships of the two Nations which may be detained for being engaged in a Traffick of Slaves, contrary to the Provisions of this Treaty, Mixed Courts of Justice shall be formed of an equal number of Individuals, to be named for this purpose by their respective Sove-

point être exercé directement vis-à-vis des Bâtimens marchands, naviguant sous le Convoi d'un ou de plusieurs Bâtimens de Guerre de l'une ou de l'autre des deux Puissances.

Si, contre toute attente, le Commandant d'un Bâtiment de Guerre de l'un des deux Gouvernemens, employé à la répression de la Traite des Nègres, avoit des présomptions raisonnables pour soupçonner qu'un Bâtiment, sous le Convoi de l'autre Gouvernement, aurait effectivement à bord des Esclaves destinés à la vente, ou serait autrement engagé dans le Trafic d'Esclaves, en contravention aux dispositions du présent Traité, il s'adressera au Commandant du Convoi, pour lui faire part de ses soupçons; celui-ci procédera alors à la visite du Bâtiment indiqué, en s'associant, pour cet effet, soit le Commandant même du Croiseur, soit l'Officier que ce dernier aura délégué pour le représenter.

Le Commandant du Convoi prêtera toute aide et facilité possible, à la visite des Navires soupçonnés, et à leur détention éventuelle, selon l'esprit et le véritable sens du présent Traité.

IV. Afin d'amener en jugement, avec le moins de délai et d'inconvénient, les Navires des deux Nations, qui seraient détenus pour être engagés dans le Commerce d'Esclaves, en contravention aux dispositions du présent Traité, il sera formé des Cours de Justice Mixtes, composées d'un nombre égal d'individus, à nommer par les Souverains respectifs; l'une



reigns; and it is hereby agreed, that one of the said Courts shall be established in one of the Possessions of His Britannick Majesty on the Coast of Africa, which shall be named at the exchange of the Ratifications of this Treaty, and the other, in the Island of St. Bartholomew in the West Indies, belonging to His Majesty The King of Sweden and Norway; each of the Two High Contracting Parties reserving to itself the right of changing, at its pleasure, the Place of residence of the Court within its Dominions.

It is also hereby provided, that, in the event of the absence, on account of illness, or any other unavoidable cause, of one or more of the Commissioners, Judges or Arbiters, under the above mentioned Treaty, or in case of their absence on leave from their Government, duly notified to the Board of Commissioners sitting under the said Treaty, their Posts shall be supplied in the same manner in which, by Article 9 of the Regulation for the Mixed Commissions, those vacancies are to be supplied, which may occur by the death of one or more of the Commissioners aforesaid.

Each Government shall name, to sit in each of these Courts, a Judge and an Arbiter, reserving, however, to Itself, according to circumstances, and as it shall think proper, the power either of naming, for that purpose, permanent salaried Officers, or of eventually appointing duly qualified Individuals, on the spot, who shall assemble, when the case occurs, in the quality of Judges and Arbiters.

de ces Cours sera établie dans une des Possessions de Sa Majesté Britannique sur la Côte d'Afrique, dont déclaration sera faite à l'échange des Ratifications du présent Traité, et l'autre dans l'Ile de St. Barthelemy aux Indes Occidentales, appartenante à Sa Majesté Le Roi de Suède et de Norvège; chacune des deux Parties Contractantes se réservant le droit de changer, à sa convenance, la Place de résidence de la Cour dans l'intérieur de ses Domaines.

Si un ou plusieurs des Commissaires Juges ou Arbitres, nommés en vertu du présent Traité, seraient absens, soit par maladie ou autre cause valable, soit par congé accordé par son Gouvernement, et dûment notifié à la Cour susmentionnée, on procédera, pour leur remplacement, conformément aux Stipulations de l'Article 9 du Règlement pour les Commissaires Mixtes, dont les places deviennent vacantes par décès.

Chaque Gouvernement nommera, pour siéger dans chacune de ces Cours, un Juge et un Arbitre, en se réservant toutefois, d'après les circonstances, et comme ils le jugeront à propos, soit de nommer, pour cet effet, des Employés permanens et salariés, soit de constituer éventuellement des Individus dûment qualifiés, sur les lieux, pour s'assembler, le cas échéant, dans la qualité de Juges et d'Arbitres.

It is provided, nevertheless, that after the term fixed for the meeting of the said Commissioners, their proceedings in examination and adjudication, shall not be delayed by reason of the absence of any Judge or Arbiter, to be appointed under the Provisions of this Treaty, but the same shall be had and determined by such Commissioners as shall or may be assembled, observing, in all things, as nearly as may be, the several Provisions of this Treaty.

V. Each of the two High Contracting Parties engages to make good to the Subjects of the other, any losses which their respective Cruizers may cause them to experience, by the illegal or arbitrary detention of their Vessels; and it is understood that the visit and detention shall not, under any pretext whatever, be effected, but by Ships which form a part of the two Royal Navies, and which shall be provided with the Special Instructions annexed to the present Treaty, and in pursuance of the Provisions thereof.

VI. In case the Officers commanding vessels employed for the suppression of the Slave Trade, shall deviate, in any respect whatever, from the Stipulations of the present Treaty, the Government which shall conceive Itself to be wronged by such conduct, shall have the right to demand reparation; and, in such case, the Government to which the said Commanding Officers shall belong, binds Itself to cause enquiry to

Il est toute-fois convenu, qu'après le terme fixé pour la réunion des dits Commissaires, leur enquête et jugement ne pourront être tirés en longueur, ni arrêtés par l'absence d'un Juge ou Arbitre, à être désigné par suite du présent Traité, mais que la Cour pourra procéder et prononcer sur l'affaire, au moyen des Commissaires qui s'assembleront, en se conformant, aussi strictement que possible, aux différentes Stipulations du présent Traité.

V. Chacune des deux Hautes Parties Contractantes s'engage à faire indemniser les Sujets de l'autre, de toutes les pertes que ses Croiseurs auront pu leur faire essuyer, par une détention illégale ou arbitraire de leurs Vaisseaux; et il est entendu que la visite et la détention ne pourraient, sous aucun prétexte, être effectuées que par des Batimens faisant partie des deux Marines Royales, munis des Instructions Spéciales annexées au présent Traité, et en se conformant à leurs Dispositions.

VI. Dans les cas où les Officiers commandans des Vaisseaux employés à la répression de la Traite des Nègres, s'écarteraient des Dispositions du présent Traité, de quelque manière que ce fût, le Gouvernement qui se croira lésé par une telle conduite, aura le droit de demander réparation; et, en tel cas, le Gouvernement auquel les dits Officiers Commandans appartiendront, s'oblige à faire instituer des enquêtes au

be made into the subject of the complaint, and to inflict, should such complaint be grounded, punishment proportioned to the transgression which may have been committed.

VII. In case of clear and undeniable proof that one or more Slaves shall have been embarked on board during the voyage, for the purpose of Traffick, the vessel in question shall be detained and brought to trial, in the manner herein above-mentioned in *Article 2*.

And it is further mutually agreed, that all merchant-vessels found hovering, or sailing near the Coasts of Africa, within one degree to the Westward of the said Coasts, between the twentieth degree of North Latitude, and the same degree of South Latitude, or at anchor within any of the rivers, gulfs or creeks of these Coasts, within the limits herein-above established, or at anchor in any part within the said limits, shall be lawfully detained and brought before the established Tribunals, provided that, in her equipment, there shall be found any of the particulars hereinafter mentioned, namely:

1° Having her hatches fitted with open gratings, instead of close hatches, as usual in merchant-vessels.

2° Having more divisions or bulkheads in the hold, or on deck, than necessary for trading vessels.

sujet de la plainte, et à infliger, lorsqu'elle sera trouvée fondée, une punition proportionnée à la transgression commise.

VII. Dans le cas qu'il existait des preuves claires et irrécusables, qu'un ou plusieurs Esclaves auraient été embarqués, pendant le voyage, sur un bâtiment visité, dans le dessein d'en faire Trafic, le bâtiment en question sera détenu, et mis en jugement, de la manière indiquée ci-dessus dans l'Article 2.

Il est de même convenu que tout bâtiment marchand trouvé rodant, ou naviguant près des Côtes d'Afrique, à la distance d'un degré à l'Ouest des dites Côtes, entre le vingtième degré de Latitude Septentrionale, et le même degré de Latitude Méridionale, ou rencontré à l'ancre dans les rivières, golfes, ou baies, de ces Côtes, entre les limites ci-dessus établies, ou à l'ancre dans quelque place que ce soit, en dedans de ces limites, pourra être légalement détenu et amené devant les Cours établies, lorsque, dans son équipement, il se trouve les particularités ci-dessous désignées, savoir:

1° Que les écoutilles seraient en treillis, et non en planches entières, comme les portent ordinairement les bâtimens marchands.

2° Qu'il se trouverait plus de compartimens dans l'entrepont, ou sur le tillac, qu'il ne seroit nécessaire pour des bâtimens marchands.

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

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

5° Having on board an unreasonable quantity of water, in casks or in tanks, more than sufficient for the consumption of her Crew, as a merchant-vessel.

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

7° Having on board a greater quantity of mess tubs, or kids, than requisite for the use of the Crew, as a merchant-vessel.

8° Having on board two or more copper boilers, or even one of an unreasonable size, larger than requisite for the use of her Crew, as a merchant-vessel.

9° Having on board an unreasonable quantity of Rice or Farinha, (Flour of the Manioc of Brazil or Cassada) or Maize, or Indian corn, beyond any probable requisite provision for the use of the Crew, and such Rice, Flour, Maize, or Indian Corn, not being

3° Qu'il se trouverait à bord des planches apprêtées pour la construction d'un pont volant.

4° Qu'il y aurait à bord des chaînes, des menottes, &c.

5° Qu'il y aurait à bord une plus grande provision d'eau, que celle possiblement requise pour la consommation de l'Équipage.

6° Qu'il y aurait à bord une quantité superflue de barriques, ou tonneaux; à moins que le Capitaine ne puisse prouver, par un Certificat délivré par la Douane du Lieu de son départ, que les Propriétaires auraient donné sûreté complète pour que ces barriques seraient employées pour y mettre de l'Huile de palme, ou pour tout autre Commerce légal.

7° Qu'il y aurait à bord plus de caisses pour conserver des provisions, qu'il n'en faudrait pour l'Équipage du vaisseau.

8° Qu'il y aurait à bord deux ou plusieurs chaudières en cuivre, ou bien une seule chaudière d'une ampleur démesurée, ou évidemment plus grande qu'il ne le faudrait pour l'usage de l'Équipage.

9° Qu'il y aurait à bord une quantité démesurée de Riz, de Farine, de Manioc ou de Cassave, de Maïs, ou de bled des Indes, au delà de ce que l'Équipage pourrait possiblement consommer, et que ces provisions ne se trouveraient point marquées sur les do-



entered on the Manifest as part of the cargo for trade.

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

VIII. The Acts or Instruments of which mention is made in this Treaty, and which, being annexed thereto, form an integral part of it, are the following:

A. The Proclamation of His Majesty The King of Sweden and Norway, which forbids, anew, to His Subjects, the Slave Trade.

B. Extract of a Royal Norwegian Proclamation, dated the 16th of March 1792. Paragraphs 1st and 6th.

C. Instructions for the Vessels of the Royal Navies of Great Britain, and of Sweden and Norway, employed in preventing the Slave Trade.

D. Regulation for the Mixed Courts of Justice.

IX. The present Treaty shall be ratified, and the Ratifications thereof shall be exchanged within six Weeks from the day of signature, or sooner if possible.

In Witness whereof the respective Plenipotentiaries have signed the same, and thereunto affixed the Seal of their Arms.

Done at Stockholm, the sixth

cumens de Mer, comme destinées au Commerce.

Une, ou plusieurs, des circonstances susmentionnées suffiront pour établir la présomption légale sur la destination d'un bâtiment pour le Commerce des Noirs, et, à moins que le Capitaine ne puisse prouver, d'une manière satisfaisante, qu'au moment de la détention, le bâtiment avoit une autre destination permise, celui-ci pourra être condamné sur cette première evidence, et déclaré bonne prise.

VIII. Les Actes ou Instrumens dont il est fait mention dans le présent Traité, et qui, s'y trouvant annexés, en forment partie intégrante, sont les suivans :

A. L'Ordonnance de Sa Majesté Le Roi de Suède et de Norvège, qui défend, de nouveau, à Ses Sujets, la Traite des Nègres.

B. Extrait d'une Ordonnance Royale Norvégienne, en date du 16 Mars 1792. Paragraphes 1 et 6.

C. Instructions pour les Vaisseaux des Marines Royales de La Grande Bretagne, et de La Suède et de La Norvège, employés à prévenir la Traite des Nègres.

D. Règlement pour les Cours de Justice Mixtes.

IX. La présent Traité sera ratifié, et les Ratifications en seront échangées dans l'espace de six Semaines après le jour de la signature, ou plutôt si faire se peut.

En Foi de quoi les Plénipotentiaires respectifs l'ont signé, et y ont apposé le Cachet de leurs Armes.

Fait à Stockholm, le sixième

day of November, in the Year of Our Lord one thousand eight hundred and twenty-four.

(L. S.)

B. BLOOMFIELD.

(L. S.)

G. Comte de WETTERSTEDT.

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 ANNEXE A.

## PROCLAMATION.

WE, Charles John, by the Grace of God, King of Sweden and Norway, and of the Goths and Vandals, do hereby make known;

That, desiring sincerely to maintain the principles manifested by Our well-beloved Father, His Majesty The King, Charles XIII, of glorious memory, concerning the Slave Trade, which principles perfectly coincide with Our own sentiments, We have declared, and do hereby declare;—

That any Swedish and Norwegian ship, which, against all expectation, shall be found employed in the Slave Trade, shall be deemed, in consequence of that transgression, to have lost all right to Our protection, or to that of Our Functionaries:

That We shall learn, with satisfaction, the discovery and the punishment of all abuse of the Swedish and Norwegian Flag, in a Traffick so odious, and that, accordingly, We have admitted, that every ship bearing the Swedish or Norwegian Flag, which shall be found employed in the Slave Trade, shall be considered as if it did not bear the above-mentioned Flag.

All those whom it may concern shall regulate themselves ac-

## ORDONNANCE.

NOUS, Charles Jean, par la Grace de Dieu, Roi de Suède, de Norvège, des Goths et des Vandales, savoir faisons;

Que, désirant sincèrement de maintenir les principes manifestés par Notre bien-aimé Père, Sa Majesté Le Roi Charles XIII, de glorieuse mémoire, par rapport à la Traite des Nègres, lesquels principes coïncident parfaitement avec Nos propres sentimens, Nous avons déclaré, et déclarons;—

Que tout bâtiment Suédois et Norvégien, qui, contre toute attente, sera trouvé employé dans la Traite des Nègres, sera, par suite de cette transgression, censé avoir perdu tout droit à Notre protection, ou à celle de Nos Fonctionnaires:

Que Nous verrons, avec satisfaction, la découverte et la punition de tout abus du Pavillon Suédois et Norvégien, dans un Trafic aussi odieux, et que, par conséquent, Nous avons accédé à ce que tout bâtiment portant Pavillon Suédois ou Norvégien, qui sera trouvé employé dans la Traite des Nègres, soit considéré comme s'il ne portait pas le Pavillon sus-mentionné.

Tous ceux à qui il appartient, auront à se régler sur la présente.

cording to the present. In Witness whereof We have signed it with Our own Hand, and have caused to be affixed thereunto Our Royal Seal.

Done at the Castle of Stockholm, the seventh day of February 1823.

(L. S.) CHARLES JOHN.  
(Countersigned) SKOGMAN.

—En Foi de quoi Nous l'avons signée de Notre propre Main, et y avons fait apposer Notre Sceau Royal.

Fait au Château de Stockholm, le sept Février 1823.

(L. S.) CHARLES JEAN.  
(Contresigné) SKOGMAN.

#### ANNEXE B.

Extract of a Royal Proclamation, dated the 16th of March 1792. Paragraphs 1st and 6th.

1° From the beginning of the year 1803, all Traffick in Negroes for the Subjects of The King, is to be abolished on the Coasts of Africa, and wherever it may be practised out of the Royal Possessions in the West Indies, so that, after that period, no Negro nor Negress shall be bought either on the Coast, or elsewhere, on account of, or by any of the Subjects of The King, nor be transported in Vessels belonging to Subjects of The King, nor be imported into the Possessions of the West Indies for sale there, and that all sale, in contravention of this Proclamation, shall be regarded as illegal.

\* \* \* \* \*

6° The exportation of Negroes and Negresses from the Islands of the West Indies is forbidden, from this day, very severely, and those are only excepted from the effect of this Prohibition, whom the Laws permit to go out of the Country, and those to whom the Governor-General, and the Re-

Extrait d'une Ordonnance Royale du 16 Mars 1792. Paragraphes 1 et 6.

1° A commencer de l'année 1803, tout Trafic de Nègres pour les Sujets du Roi, doit être aboli sur les Côtes de l'Afrique et partout où il pourrait avoir lieu hors des Possessions Royales dans les Indes Occidentales, de manière qu'après ce tems, aucun Nègre ni Nègresse ne pourront être achetés, ni sur la Côte ni autre part, pour le compte ou par des Sujets du Roi, ni être transportés dans des Vaisseaux des Sujets du Roi, ni être importés dans les Possessions des Indes Occidentales pour y être vendus, et que toute vente, en contravention à cette Ordonnance, sera regardée illicite.

\* \* \* \* \*

6° L'exportation de Nègres et de Nègresses des Iles des Indes Occidentales est défendu, depuis ce jour, très sévèrement, et sont exceptés de cette défense seulement ceux à qui les Loix permettent de sortir du pays, et ceux à qui le Gouverneur Général, et la Régence dans les Iles Occiden-

gency in the West India Islands, may grant a similar permission, according to circumstances, and in particular cases.

tales, peuvent donner une permission pareille, d'après les circonstances, et dans des cas particuliers.

#### ANNEXE C.

Instructions for the Ships of the British, and Swedish and Norwegian Royal Navies, employed to prevent the Slave Trade.

1° Every Ship of the Royal Navies of the United Kingdom of Great Britain and Ireland, or of Sweden and Norway, which, furnished with the present Instructions, shall, in conformity with the 2d and 7th Articles of the Treaty concluded the sixth day of November, in the year of our Lord one thousand eight hundred and twenty-four, have a right to visit the merchant ships of either of the two Powers actually engaged, or suspected to be engaged, in the Slave Trade, may, except in the Seas exempted by the third Article of the said Treaty, proceed to such visit; and, should any Slaves be found on board, brought there for the express purpose of the Traffick, or that the ship can, in general, be included in the cases provided against in the second and seventh Articles, the Commander of the said Ship of the Royal Navy may detain it, and, having detained it, he is to bring it, as soon as possible, for judgment, to the Places stipulated by Article 4 of the said Treaty. Ships on board of which no Slaves shall be found intended for purposes of Traffick, shall not be detained on any account or pretence whatever.

Instructions pour les Vaisseaux des Marines Royales de La Grande Bretagne, et de Suède, et de Norvège, employés à prévenir la Traite des Nègres.

1° Tout Vaisseau des Marines Royales du Royaume Uni de La Grande Bretagne et d'Irlande, ou de Suède et de Norvège, muni des présentes Instructions, aura, en conformité des Articles 2 et 7 du Traité conclu le sixième jour de Novembre, de l'an de Grâce mil huit cent vingt-quatre, le droit de visiter les navires marchands de chacune des deux Puissances, effectivement engagés, ou suspects d'être engagés, dans le Commerce des Esclaves, pourra y procéder, hormis dans les mers exceptées par l'Article 3 du dit Traité; et s'il se trouve des Esclaves à bord, dans le dessein exprès d'en faire Trafic, ou que le bâtiment se trouve, en général, dans les cas prévus par les Articles 2 et 7, le Commandant du dit Vaisseau de la Marine Royale aura le pouvoir de le détenir, et en cas de détention d'un Navire, il le conduira, le plus tôt possible, pour être mis en jugement, aux Endroits stipulés par l'Article 4 du dit Traité. Les Navires à bord desquels on ne trouvera point d'Esclaves destinés à des objets de Commerce, ne seront détenus sous aucune raison ou prétexte quelconque.



Negro servants or sailors that may be found on board the said vessels, cannot, in any case, be deemed a sufficient cause for detention.

2° Whenever a ship of the Royal Navy, so commissioned, shall meet a Merchantman liable to be searched, it shall be done in the mildest manner, and with every attention which is due between allied and friendly Nations; and, in no case, shall the search be made by an Officer holding a rank inferior to that of Lieutenant of the Navy.

3° The Ships of the Royal Navy so commissioned, which may detain any Merchant ship, in pursuance of the tenour of the present Instructions, shall leave on board all the cargo, as well as the Master, and a part, at least, of the crew, of the above-mentioned ship.

The Captor shall draw up, in writing, an authentick Declaration, which shall exhibit the state in which he found the detained ship, and the changes which may have taken place in it.

He shall deliver to the Master of the detained ship a signed Certificate of the Papers seized on board the said vessel, as well as of the number of Slaves found on board at the moment of detention.

The Negroes shall not be disembarked till after the vessels which contain them shall be arrived at the place where the legality of the Capture is to be tried.

If, however, urgent motives, deduced from the length of the

Des domestiques ou matelots Nègres trouvés à bord des dits navires, ne pourront, en aucun cas, être estimés une cause suffisante de détention.

2° Toutes les fois qu'un Vaisseau des Marines Royales, à ce commissionné, rencontrera un navire marchand, sujet à la visite, celle-ci se fera de la manière la plus honnête, et avec toutes les attentions qui se doivent réciproquement, deux Nations amies et alliées; en aucun cas la recherche ne pourra être faite par un Officier d'un grade inférieur à celui de Lieutenant de la Marine.

3° Les Vaisseaux des Marines Royales, ainsi commissionnés, qui viendront à détenir un navire marchand, d'après la teneur des présentes Instructions, laisseront à bord la cargaison entière sans y toucher, aussi bien que le Patron, et, au moins, une partie de l'équipage du dit navire.

Le Capitaine capteur couchera par écrit une Déclaration authentique, qui articulera l'état dans lequel il a trouvé le navire détenu, et les changemens qui pourront y être survenus.

Il délivrera au Patron du navire détenu un Certificat signé, des Papiers saisis à bord du dit navire, ainsi que du nombre d'Esclaves trouvés à son bord, au moment de la détention.

Les Nègres ne seront point débarqués avant que les navires qui les contiennent ne soient arrivés au lieu, où la légalité de la capture doit être jugée.

Si, néanmoins, des motifs urgents, tirés de la longueur du voy-

voyage, the state of health of the Negroes, or other causes, require that they should be disembarked entirely, or in part, the Commander of the capturing ship may take on himself the responsibility of such disembarkation, provided that the necessity be stated in a Certificate in proper form.

age, de l'état sanitaire des Nègres, ou d'autres causes, requéraient qu'ils fussent débarqués, en totalité, ou en partie, le Commandant du Vaisseau capteur peut prendre sur lui la responsabilité d'un semblable débarquement, pourvu que la nécessité en soit constatée par un Certificat en due forme.

#### ANNEXE D.

##### Regulation for the Mixed Courts of Justice.

1° THE Mixed Courts of Justice, to be established by the Treaty of this date, are appointed to decide upon the legality of the detention of such vessels as the Cruizers of both Nations shall detain, in pursuance of this same Treaty.

The above-mentioned Courts shall judge definitively, and without appeal, according to the present Treaty.

The Proceeding shall take place as summarily as possible. The Courts are required to decide (as far as they shall find it practicable) within the space of twenty days, to be dated from that in which every detained vessel shall have been brought into the Port where they shall reside; first, upon the legality of the capture; secondly, in the cases in which the captured vessel shall have been liberated, as to the indemnification which the said vessel is to receive.

And it is hereby provided, that, in no case, shall the final sentence be delayed, on account of the absence of witnesses, or

##### Règlement pour les Cours de Justice Mixtes.

1° LES Cours de Justice Mixtes, à établir, d'après le Traité de ce jour, sont constituées à l'effet de décider de la légalité de la détention des navires que les Croiseurs des deux Nations viendront à arrêter, en vertu du dit Traité.

Les Cours sus-mentionnées décideront définitivement, et sans appel, conformément aux Stipulations du Traité.

La Procédure aura lieu aussi sommairement que possible. Et les Cours sont requises de prononcer (pour autant qu'elles le trouveront praticable) dans l'espace de vingt jours, à dater de celui auquel le navire détenu aura été conduit dans les Ports où les Cours résident; elles jugeront, en premier lieu, de la légalité de la capture; et, en second lieu, (dans le cas où le navire capturé viendra à être absous) de l'indemnisation à donner au navire capturé.

Et il est statué par les présentes, que, dans tous les cas, la sentence définitive ne pourra être différée, pour cause d'absence de



for want of other proofs, beyond the period of two months, except upon the application of any of the Parties interested, when, upon their giving satisfactory security to charge themselves with the expence and risks of the delay, the Courts may, at their discretion, grant an additional delay not exceeding four months.

2<sup>o</sup> Each of these Mixed Courts shall be composed in the following manner :

The Two High Contracting Parties shall, each of them, name a Judge and an Arbitrator, who shall be authorized to hear and to decide, without appeal, all Cases of Capture of Vessels which, in pursuance of the Stipulations of the Treaty of this date, shall be brought before them.

All the essential parts of the proceedings carried on before these Mixed Courts, shall be written down either in English, or in Swedish, or Norwegian.

The Judges and the Arbitrators shall make oath to judge fairly and faithfully, to have no preference either for the Claimants or the Captors, and to act, in all their decisions, in pursuance of the Stipulations of the Treaty of this date.

There shall be attached to each Court, when assembled, a Secretary or Registrar, who shall register all its Acts, and who, previous to his taking charge of his post, shall make oath before the Court, to conduct himself with respect for their authority, and to

témoins, ou par défaut d'autres preuves, au delà du terme de deux mois, à moins que ce ne soit à la demande d'une des Parties intéressées, en quel cas, et moyennant qu'elles fournissent sûreté suffisante qu'elles se chargeront elles mêmes des frais et risques du délai, les Cours auront le pouvoir discrétionnaire d'accorder un délai additionnel, qui n'excèdera pas quatre mois.

2<sup>o</sup> Chacune de ces Cours Mixtes sera composée de la manière suivante :

Les Deux Hautes Parties Contractantes nommeront, chacune, un Juge et un Arbitre, qui seront autorisés à prendre connaissance, et à décider, sans appel, de tous les cas de Capture de Navire, qui, en suite des Stipulations du Traité de ce jour, viendront à être portés devant eux.

Toutes les parties essentielles des procédures portées par devant les dites Cours Mixtes, seront couchées par écrit soit en Anglais, soit en Suédois, ou Norvégien.

Les Juges et Arbitres prêteront serment de juger loyalement et fidèlement, de n'accorder aucune préférence, soit aux Réclamans, soit aux Capteurs, et de se conduire, dans toutes leurs décisions, conformément aux Stipulations du Traité de ce jour.

A chaque Cour, lorsqu'elle s'assemblera, sera attaché un Secrétaire ou Greffier, lequel enregistrera tous les Actes de celle-ci, et qui, avant de prendre possession de sa charge, prêtera serment par devant la Cour, de se conduire respectueusement à son

act with fidelity in all the affairs which may belong to his charge. In the case contemplated by Article 4 of the present Treaty, the permanent or temporary salaries of the Members of the Mixed Courts, shall be paid by their respective Sovereigns, those of the Secretary or Registrar of the Court to be established on the Coast of Africa, shall be paid by His Britannick Majesty, and those of the Secretary of the Court to be established in the West Indies, by His Majesty The King of Sweden and Norway.

As to the incidental expences of the said Courts, each Government shall defray the half.

The expences carried to account by the Officer charged with the reception and care of the detained ships, as well as with the execution of the sentence, (Marshal of the Court,) and any other disbursement occasioned by the bringing a vessel to judgment, shall be defrayed from the funds arising from the sale of the vessel, in case of condemnation, and by the Captor, if the detained vessel should be released.

3° The form of the process shall be as follows :

The Judges of the two Nations shall, in the first place, proceed to the examination of the papers of the vessel, and to receive the depositions of the Captain (who, if he should so wish, shall be allowed to employ Counsel to conduct his defence,) and of two or three, at least, of the principal individuals on board of the detained vessel, as well as the de-

égard, et d'en agir avec fidélité en toutes les affaires du ressort de sa charge. Dans le cas prévu par l'Article 4 du Traité, les salaires permanens ou temporaires des Membres des Cours Mixtes, seront payés par leurs Souverains respectifs, ceux du Secrétaire ou Greffier de la Cour à établir sur la Côte d'Afrique, seront payés par Sa Majesté Britannique, et ceux du Secrétaire de la Cour à établir aux Indes Occidentales seront payés par Sa Majesté Le Roi de Suède et de Norvège.

Les frais casuels des dites Cours seront défrayés la moitié par chaque Gouvernement.

Les frais portés en ligne de compte par l'Officier chargé de la réception et du soin des navires détenus, ainsi que de l'exécution des jugemens, (Marshal of the Court,) de même que toute autre dépense occasionnée par la détention et la mise en jugement d'un bâtiment, seront supportées par les fonds provenans de la vente du bâtiment, en cas de condamnation, et par le Capteur, si le bâtiment détenu est relâché.

3° La manière de procéder sera comme suit :

Les Juges des deux Nations procéderont, en premier lieu, à l'examen des papiers du navire, et à recevoir les dépositions du Capitaine (lequel, s'il le désire, aura la faculté de se servir d'un Avocat pour défendre sa cause,) et de deux à trois des principaux individus, au moins, du navire amené, aussi bien que la déclaration assermentée du Capteur, si elle

claration, on oath, of the Captor, should it appear necessary, in order to be enabled to judge and to pronounce whether the said vessel has been justly detained or not, according to the Stipulations of the present Treaty, and in order that, according to this judgment, it may be condemned or liberated. And, in the event of the two Judges not agreeing in the Sentence they ought to pronounce, whether as to the legality of the detention, or the indemnification to be allowed, or any other question which might result from the Stipulations of the present Treaty, they shall draw by lot the name of one of the two Arbiters, who, after having considered the documents of the process, shall consult with the above-mentioned Judges on the Case in question, and the final Sentence shall be pronounced conformably to the opinion of the majority of the above-mentioned Judges, and of the above-mentioned Arbiter.

4° In the authenticated Declaration which the Captor shall make before the Court, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured vessel, at the time of detention, the above-mentioned Captor shall be bound to declare his name and the name of his vessel, as well as the latitude and longitude of the Place where the detention shall have taken place, and the number of Slaves found on board of the ship at the time of the detention.

5° As soon as Sentence shall have been pronounced, (which

paraissait nécessaire, afin d'être en état de juger et de prononcer si le navire a été détenu justement ou non, conformément aux Stipulations du Traité, et afin qu'en vertu de ce jugement le navire puisse être condamné ou absous. Et, dans le cas où les deux Juges ne s'accorderaient pas sur la sentence à prononcer par eux, soit quant à la légalité de la détention, soit quant à l'indemnisation à allouer, ou sur toute autre question qui pourrait résulter des Stipulations du Traité, ils tireront au sort le nom de l'un des deux Arbitres, lequel, après avoir examiné les documens du procès, délibérera avec les Juges sus-mentionnés, sur le cas existant, et la Sentence finale sera prononcée conformément à l'opinion de la majorité des Juges, et de l'Arbiter sus-mentionné.

4° Dans les Déclarations authentiques que le Capteur sera tenu de faire, par devant la Cour, ainsi que dans le Certificat des Papiers saisis, qui sera délivré au Capitaine du navire capturé, lors de sa détention, le susdit Capteur sera tenu de déclarer son nom, et celui de son vaisseau, aussi bien que la latitude et la longitude de l'endroit où la détention a eu lieu, et le nombre des Esclaves trouvés à bord du navire capturé au moment de sa détention.

5° Aussitôt après que la Sentence aura été prononcée (laquelle

shall be duly founded) the detained vessel, if liberated, and the cargo, in the state in which it shall then be found, shall be restored to the Master, or the Person who represents him, who may, before the same Court, claim a valuation of the damages which they may have a right to demand; the Captor himself, and, in his default, his Government, shall remain responsible for the above-mentioned damages.

The Two High Contracting Parties bind Themselves to pay, within the term of a year from the date of the Sentence, the costs and damages which may be granted by the above-named Court; it being understood that these costs and damages shall be at the expence of the Power of which the Captor shall be a subject.

6° In case of the condemnation of a vessel, she shall be declared lawful prize, as well as her cargo, of whatever description it may be, with the exception of the Slaves who may be on board as objects of commerce; and the said vessel, as well as her cargo, shall be sold by publick sale for the profit of the two Governments; and as to the Slaves, they shall receive from the Mixed Court, a Certificate of Emancipation, and shall be delivered over to the Government to which the Captor belongs, to be employed as servants, or free labourers.

Each of the two Governments binds Itself to guarantee the liberty of such portion of these individuals as shall be respectively consigned to it.

sera dûment motivée) le navire détenu, s'il est libéré, et sa cargaison, dans l'état où elle se trouvera alors, seront restitués au Patron, ou à celui qui le représente, lequel pourra réclamer, par devant la même Cour, une évaluation des dommages qu'il pourrait avoir droit de demander; le Capteur lui-même, et, à son défaut, son Gouvernement, restera responsable des dits dommages.

Les Deux Hautes Parties Contractantes s'obligent à payer, dans l'espace d'une année après la date de la Sentence, les frais et dommages qui pourront être accordés par la Cour susnommée; il est entendu que ces frais et dommages tomberont à la charge de la Puissance, dont le Capteur sera sujet.

6° En cas de condamnation d'un navire, il sera déclaré prise légitime, aussi bien que sa charge, de quelque description qu'elle puisse être, à l'exception des Esclaves qui pourront être à bord comme objets de commerce; et le dit navire, aussi bien que sa charge, sera vendu en vente publique au profit des deux Gouvernemens; et, quant aux Esclaves, ils recevront de la Cour Mixte un Certificat d'Emancipation, et seront remis au Gouvernement auquel appartient le Capteur, aux fins d'être employé commes domestiques, ou travailleurs libres.

Chacun des deux Gouvernemens s'oblige à la garantie de la liberté de telle portion de ces individus qui viendra à y être respectivement consignée.



The expenses for supporting the Slaves, between the time of their capture and condemnation, shall be levied on the fund arising from the sale of the condemned vessel; but afterwards, those expenses shall be charged to the Government of the Country which is to enjoy the advantage of their labour.

The charges incurred for the support and the return of the Crew of the condemned vessels, shall be defrayed by the Government of which they are the subjects.

7° The Mixed Courts shall also take cognizance and decide, according to the third Article of this Regulation, on all claims for compensation on account of losses occasioned to vessels detained under suspicion of having been engaged in the Slave Trade, but which shall not have been condemned as legal prize by the said Courts; and in all cases wherein restitution shall be decreed, the Court shall award to the Claimant or Claimants, his or their lawful Attorney or Attornies, for his or their use, a just and complete indemnification for all costs of suit, and for all losses and damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say,—

1° In case of total loss, the Claimant or Claimants shall be indemnified,

a. For the ship, her tackle, apparel and stores;

b. For all freight due and payable;

Les frais d'entretien des Esclaves, entre le moment de la capture et celui de la condamnation, seront affectés sur les fonds provenant de la vente du navire condamné. Après ce moment, ces frais tomberont à la charge du Gouvernement du Pays qui devra jouir de l'avantage de leur travail.

Les frais occasionnés par l'entretien et le renvoie des équipages d'un navire condamné, seront à la charge du Gouvernement dont ils se trouveront être les sujets.

7° Les Cours Mixtes connaîtront et jugeront également, et en la forme voulue par l'Article 3 du présent Règlement, de toute réclamation pour compensation de pertes occasionnées à des navires détenus sur soupçon de faire le Commerce des Esclaves, mais non condamnés comme prises légales, par les dites Cours; dans tous les cas, où la restitution aura été prononcée, les Cours adjugeront au profit dû ou des Réclamans, ou leurs Ayant-causes légaux, une indemnisation juste et complète de tous les frais de procédure, et de toutes les pertes et dommages que le ou les Réclamans pourraient avoir éprouvés par telle Capture et Détention; les Cours observeront,—

1° Qu'en cas de perte totale, le ou les Réclamans seront indemnisés,

a. Pour le navire, ses agrès, apparaux, et munitions;

b. Pour tout frêt dû, et à payer;



c. For the value of the cargo of merchandize, if any, deducting for all charges and expences, payable upon the sale of such cargoes, including commission of sale;

d. For all other regular charges in such cases of total loss; and

2° In all other cases not of total loss, the Claimant or Claimants shall be indemnified,

a. For all special damages and expences occasioned to the Ship by the detention, and for loss of freight, when due or payable;

b. A demurrage when due, according to the Schedule annexed to the present Article;

c. For any deterioration of Cargo;

d. An allowance of five per cent. on the amount of the capital employed for the purchase of cargo, for the period of delay occasioned by the detention; and

e. For all premium of insurance on additional risks.

The Claimant or Claimants shall, in all cases, be entitled to interest, at the rate of five per cent per annum, on the sum awarded, until paid by the Government to which the capturing ship belongs; the whole amount of such indemnifications being calculated in the money of the Country to which the captured ship belongs, and to be liquidated at the exchange current at the time of the award.

The Two High Contracting

c. Pour la valeur de la cargaison, et des marchandises, s'il y en a, déduction faite des charges et dépenses payables pour la vente de pareilles cargaisons, y compris la commission de vente;

d. Pour toutes autres charges usité en cas de perte totale; et

2° Que dans tous les autres cas de perte non totale, le ou les Réclamans, seront indemnifiés,

a. De tout dommage et dépense particuliers, occasionnés au navire par la détention, et pour la perte de frêt dû ou à payer;

b. Pour starie; l'indemnisation due de ce chef sera réglée d'après la Cédule annexée au présent Article;

c. De toute détérioration de la Cargaison;

d. Il leur sera alloué également cinq pour cent du montant du capital employé à l'achat de la cargaison, pour tout le tems du délai occasionné par la détention; et

e. Un dédommagement pour toute prime d'assurance sur les risques additionnels.

Dans tous les cas, le ou les Réclamans auront de plus droit aux intérêts, sur le pied de cinq pour cent par an, de la somme adjugée, jusqu'à son payement, par le Gouvernement auquel le vaisseau capteur appartient; le montant entier de cette indemnisation sera calculé en monnaie du Pays auquel le navire capturé appartient, à liquider d'après le cours de change à l'époque de l'adjudgement.

Les Deux Hautes Parties Con-

Parties wishing, however, to avoid, as much as possible, every species of fraud in the execution of the Treaty of this date, have agreed, that if it should, be proved, in a manner evident to the conviction of the Judges of the two Nations, and without having recourse to the decision of an Arbitrator, that the Captor had been led into error by a voluntary and reprehensible fault on the part of the Captain of the detained ship,—in that case only, the detained ship shall not have the right of receiving, during the days of her detention, the Demurrage stipulated by the present Article.

*Schedule of Demurrage or daily Allowance for a Vessel of*

100 tons to 120 inclusive £5			
121	150	6	} per diem.
151	170	8	
171	200	10	
201	220	11	
221	250	12	
251	270	14	
271	300	15	

and so on in proportion.

8°. Neither the Judges, nor the Arbiters, nor the Secretary, of the Mixed Court, shall be permitted to demand or receive, from any of the Parties concerned in the Sentences which they shall pronounce, any emolument, under any pretext whatsoever, for the performance of the duties which are imposed upon them by the present Regulation.

9. The Two High Contracting Parties have agreed, that in the event of the death, sickness, absence on leave, or any other legal impeachment of one or more of the Judges or Arbiters, composing the Mixed Courts mentioned in the

tractantes désirant toutefois éviter autant que possible, toute espèce de fraude dans l'exécution du Traité de ce jour, sont convenues, que s'il venait à être prouvé, d'une manière évidente, et à la conviction des Juges des deux Nations, et sans avoir recours à la décision d'un Arbitre, que le Capteur a été induit en erreur par une faute volontaire et répréhensible de la part du Capitaine du navire capturé,—en ce cas seulement, le dit navire n'aura pas droit à recevoir, pendant la durée des jours de sa détention, la Starie stipulée par le présent Article.

*Cédule de Starie ou Jour de Planche pour un Navire de*

100 { tonneaux } 120 inclusivement £5			
121	150	6	} par jour.
151	170	8	
171	200	10	
201	220	11	
221	250	12	
251	270	14	
271	300	15	

et ainsi de suite en proportion.

8°. Il ne sera licite ni aux Juges, ni aux Arbitres, ni au Secrétaire, des Cours Mixtes, de demander ou de recevoir, d'aucune des Parties concernées dans les Sentences qu'ils prononceront, aucun émolument, sous quelque prétexte que ce puisse être, pour l'accomplissement des devoirs qui leur sont imposés par le présent Règlement.

9. Les Deux Hautes Parties Contractantes sont convenues qu'en cas de décès, de maladie, de congé, ou de tout autre empêchement légal, d'un ou de plusieurs des Juges ou Arbitres, composant les Cours Mixtes mentionnées dans

4th Article of the Treaty of this day, the remaining individuals shall proceed, without interruption, to judgment of the ships that may be brought before them, and to the execution of their Sentence.

L'Article 4 du Traité de ce jour, les individus qui resteront procéderont sans interruption au jugement des navires qui pourraient être traduits par devant eux, et à la mise en exécution de leur Sentence.

### SUPPLEMENTARY PAPERS.

#### DECLARATION REFERRED TO IN ARTICLE III.

(*Translation.*)

Declaration relative to the Instructions to be given in the Swedish and Norwegian languages, to the Vessels of the Royal Navy of His Majesty The King of Sweden and Norway, and of His Britannick Majesty, which may be employed for the suppression of the Slave Trade, in conformity to the Treaty signed by the Plenipotentiaries of Their said Majesties, on the 6th of November 1824, and whereof the Ratifications have been this day exchanged.—

Whereas a Treaty for the Suppression of the Slave Trade, was concluded between Great Britain and Sweden and Norway, and signed at Stockholm on the sixth day of November 1824; and whereas in the Third Article of the said Treaty it is, among other matters, agreed, "That all Ships of the Royal Navies of the Two Nations, which shall hereafter be employed to prevent the Traffick in Slaves, shall be furnished by their respective Governments with a Copy in the English, Swedish, and Norwegian languages, of the Instructions annexed (sub Literâ C.) to the present Treaty, and which shall be considered as an integral part thereof;"

Déclaration par rapport aux Instructions, en langue Suédoise et Norvégienne, qui seront données aux Vaisseaux de la Marine Royale de Sa Majesté Le Roi de Suède et de Norvège, et de Sa Majesté Britannique, qui seront employés pour la répression de la Traite des Nègres, conformément au Traité signé par les Plénipotentiaires de Leurs dites Majestés, le 6 Novembre 1824, dont les Ratifications ont été échangées aujourd'hui.—

Un Traité pour la Répression de la Traite des Nègres ayant été conclu entre La Suède et La Norvège, et La Grande Bretagne, et signé à Stockholm, le 6 Novembre 1824; et l'Article III. de ce même Traité ayant stipulé, parmi autres, "Que tous les Vaisseaux de la Marine Royale des deux Etats, qui seront destinés à prévenir le Commerce d'Esclaves, seront munis par leurs Gouvernemens respectifs d'une Copie en Suédois, en Norvégien, et en Anglais, des Instructions annexées (sub Literâ C) au présent Traité, duquel elles sont considérées comme partie intégrante;"

The Undersigned Plenipotentiaries signing the Treaty, do hereby declare, being duly authorized to this effect by their respective Sovereigns, that the Copy of the said Instructions, hereunto annexed in the Swedish and Norwegian Languages, is that, which, together with the Copy of the said Instructions in the English Language annexed to the Treaty, constitutes the Document which is to be furnished to the ships of the Royal Navies of the two Powers, which shall, under the Treaty in question, be hereafter employed to prevent the Traffick in Slaves.

In Witness whereof the respective Plenipotentiaries have signed the present Declaration, and have affixed thereunto the Seals of their Arms.

Done at Stockholm, the twenty-sixth day of February, in the Year of our Lord one thousand eight hundred and twenty-five.

(L. S.)

G. Count de WETTERSTEDT.

(L. S.) B. BLOOMFIELD.

Les Plénipotentiaires Sous-signés, Signataires du Traité, déclarent par la présente, qu'étant dûment autorisés à cet effet par leurs Souverains respectifs, la Copie des dites Instructions ci-annexées en Suédois et en Norvégien, est celle qui, avec la Copie des dites Instructions en Anglais, annexée au Traité, constitue le Document qui sera délivré aux Vaisseaux des Marines Royales des deux Puissances, qui, conformément au Traité en question, seront, dans la suite, employés à prévenir le Commerce des Esclaves.

En Foi de quoi les Plénipotentiaires respectifs ont signé la présente Déclaration, et y ont apposé le Cachet de leurs Armes.

Fait à Stockholm, le vingt-sixième jour du Mois de Février, l'An de Grace Mil huit cent vingt cinq.

(L. S.)

G. Comte de WETTERSTEDT.

(L. S.) B. BLOOMFIELD.

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[Here follow the Instructions, (see Annexe C.) in the Swedish and Norwegian Languages.]

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#### DECLARATION REFERRED TO IN ARTICLE IV.

(Translation.)

Declaration made by the Plenipotentiary of His Britannick Majesty, at the period of the exchange of the Ratifications of the Treaty of the 6th November 1824, between His said Majesty and His Swedish and Norwegian

Déclaration faite par le Plénipotentiaire de Sa Majesté Britannique, au moment de l'échange des Ratifications du Traité du 6 Novembre 1824, entre Sa dite Majesté et Sa Majesté Suédoise et Norvégienne, pour la Suppres-



Majesty, for the Suppression of the Slave Trade, with respect to the establishment of a Mixed Court of Justice at Sierra Leone, as a Possession of His Britannick Majesty.—

Whereas a Treaty for the suppression of the Slave Trade was concluded between Great Britain and Sweden and Norway, and signed at Stockholm on the sixth day of November, 1824; And whereas in the IVth Article of the said Treaty, it is, among other matters, agreed, that one of the Mixed Courts of Justice therein described, "shall be established in one of the Possessions of His Britannick Majesty on the Coast of Africa, which shall be named at the exchange of the Ratifications of this Treaty;"

The Undersigned has received the Commands of His Britannick Majesty to declare, and he does hereby, at the period of the exchange of the Ratifications of the said Treaty, declare, in the Name and on the Part of The King his Master, that the Settlement of Sierra Leone, on the Coast of Africa, is the Possession of His Britannick Majesty in which the said Mixed Court of Justice shall be established accordingly.

In Witness whereof, the undersigned Plenipotentiary of His Britannick Majesty, has signed the present Declaration, and has affixed thereto the Seal of his Arms.

Done at Stockholm, the Twenty-sixth day of February, in the year of our Lord, 1825.

(L. S.) B. BLOOMFIELD.

sion de la Traite des Noirs, par rapport à l'établissement d'une Cour de Justice Mixte à Sierra Leone, comme une Possession de Sa Majesté Britannique.—

Un Traité pour la répression de la Traite des Noirs ayant été conclu entre La Grande Bretagne et La Suède et La Norvège, et signé à Stockholm, le sixième jour de Novembre 1824, et contenant dans le 4<sup>me</sup>. Article, entre autres choses, la stipulation qu'une des Cours de Justice Mixtes, dont il y est fait mention "sera établie dans une des Possessions de Sa Majesté Britannique sur la Côte d'Afrique, laquelle sera nommée à l'échange des Ratifications du présent Traité;"

Le Soussigné a reçu les Ordres de Sa Majesté Britannique de déclarer, à l'époque de l'échange des Ratifications du dit Traité, et déclare par les présentes, au Nom et de la Part du Roi son Maître, que la Colonie de Sierra Leone, sur la Côte d'Afrique, est la Possession de Sa Majesté Britannique où la dite Cour de Justice Mixte sera établie d'après la teneur du dit Traité.

En Foi de quoi le Soussigné Plénipotentiaire de Sa Majesté Britannique a signé la présente Déclaration, et y a fait apposer le Cachet de ses Armes.

Fait à Stockholm, le Vingt-Six Février l'An de Grace 1825.

(L. S.) B. BLOOMFIELD.



*TREATY of Amity, Commerce, and Navigation, between His Majesty and The United Provinces of Rio de la Plata.—Signed at Buenos Ayres, February 2, 1825.*

(Presented to Parliament May 16th 1825.)

EXTENSIVE Commercial Intercourse having been established for a series of years between the Dominions of His Britannick Majesty, and the Territories of the United Provinces of Rio de la Plata, it seems good for the security as well as encouragement of such Commercial Intercourse, and for the maintenance of good understanding between His said Britannick Majesty and the said United Provinces, that the Relations now subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of Amity, Commerce, and Navigation.

For this purpose they have named their respective Plenipotentiaries, that is to say ;—

His Majesty The King of the United Kingdom of Great Britain and Ireland, Woodbine Parish, Esquire, His said Majesty's Consul-General in the Province of Buenos Ayres and it's Dependencies ;—and The United Provinces of Rio de la Plata, Señor Don Manuel José Garcia, Minister Secretary for the Departments of Government, Finance, and Foreign Affairs, of the National Executive Power of the said Provinces ;

Who, after having communicated to each other their respective Full Powers, found to be in

HABIENDO existido por muchos años un Comercio extenso entre los Dominios de Su Magestad Británica, y los Territorios de las Provincias Unidas del Rio de la Plata, parece conveniente á la seguridad y fomento del mismo Comercio, y en apoyo de una buena inteligencia entre Su Magestad y las expresadas Provincias Unidas, que sus Relaciones ya existentes sean formalmente reconocidas y confirmadas por medio de un Tratado de Amistad, Comercio, y Navegacion.

Con este fin han nombrado sus respectivos Plenipotenciarios, á saber ;—

Su Magestad El Rey del Reyno Unido de La Gran Bretaña é Yrlanda, al Señor Woodbine Parish, Cónsul-General de Su Magestad en Buenos Ayres ;—y las Provincias Unidas del Rio de la Plata, al Señor Don Manuel José Garcia, Ministro Secretario en los Departamentos de Gobierno, Hacienda, y Relaciones Exteriores, del Ejecutivo Nacional de las dichas Provincias ;

Quienes, habiendo cangeado sus respectivos Plenos Poderes, y hallandose estos extendidos en

due and proper form, have agreed upon and concluded the following Articles:—

I. There shall be perpetual Amity between the Dominions and Subjects of His Majesty The King of the United Kingdom of Great Britain and Ireland, and The United Provinces of Rio de la Plata, and their Inhabitants.

II. There shall be between all the Territories of His Britannick Majesty in Europe, and the Territories of the United Provinces of Rio de la Plata, a reciprocal freedom of Commerce: The Inhabitants of the two Countries, respectively, shall have liberty freely and securely to come, with their Ships and Cargoes, to all such Places, Ports, and Rivers, in the Territories aforesaid, to which other Foreigners are or may be permitted to come; to enter into the same, and to remain and reside in any part of the said Territories respectively; also to hire and occupy houses and warehouses for the purposes of their Commerce; and, generally, the Merchants and Traders of each Nation, respectively, shall enjoy the most complete protection and security for their Commerce; subject always to the Laws and Statutes of the Two Countries respectively.

III. His Majesty The King of the United Kingdom of Great Britain and Ireland engages further, that in all His Dominions situated out of Europe, the Inhabitants of the United Provinces of Rio de la Plata shall have the like liberty of Commerce and

debida forma, han concluido y convenido en los Artículos siguientes:—

I. Habrá perpetua amistad entre los Dominios y Súbditos de Su Magestad El Rey del Reyno Unido de La Gran Bretaña é Yrlanda, y las Provincias Unidas del Rio de la Plata, y sus Habitantes.

II. Habrá entre todos los Territorios de Su Magestad Británica en Europa, y los Territorios de las Provincias Unidas del Rio de la Plata, una reciproca libertad de Comercio: Los Habitantes de los dos Paises gozarán respectivamente la franqueza de llegar segura y libremente, con sus Buques y Cargas, á todos aquellos Parages, Puertos, y Rios, en los dichos Territorios, adonde sea ó pueda ser permitido á otros Extrangeros llegar; entrar en los mismos, y permanecer y residir en cualquier parte de los dichos Territorios respectivamente; tambien alquilar y ocupar casas y almacenes para los fines de su Tráfico; y, generalmente, los Comerciantes y Traficantes de cada Nacion, respectivamente, disfrutará de la mas completa proteccion y seguridad para su Comercio siempre sugetos á las Leyes y Estatutos de los dos Paises respectivamente.

III. Su Magestad El Rey del Reyno Unido de la Gran Bretaña é Yrlanda, se obliga ademas, á que, en todos sus Dominios fuera de Europa, los Habitantes de las Provincias Unidas del Rio de la Plata tengan la misma libertad de Comercio y Navegacion estipu-

Navigation stipulated for in the preceding Article, to the full extent in which the same is permitted at present, or shall be permitted hereafter to any other Nation.

IV. No higher or other Duties shall be imposed on the importation into the Territories of His Britannick Majesty, of any Articles of the growth, produce, or manufacture of the United Provinces of Rio de la Plata, and no higher or other Duties shall be imposed on the importation into the said United Provinces, of any Articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions, than are or shall be payable on the like Articles, being the growth, produce, or manufacture of any other Foreign Country; nor shall any other or higher Duties or Charges be imposed, in the Territories or Dominions of either of the Contracting Parties, on the Exportation of any Articles to the Territories or Dominions of the other, than such as are or may be payable on the exportation of the like Articles to any other Foreign Country: nor shall any prohibition be imposed upon the exportation or importation of any Articles the growth, produce, or manufacture of His Britannick Majesty's Dominions, or of the said United Provinces, which shall not equally extend to all other Nations.

lada en el Artículo anterior, con toda la extension que en el dia se permite, ó en adelante se permitiere, á cualquiera otra Nacion.

IV. No se impondrán ningunos otros ni mayores Derechos á la importacion en los Territorios de Su Magestad Británica, de cualesquiera de los Artículos de produccion, cultivo, ó fabricacion de las Provincias Unidas del Rio de la Plata, y no se impondrán ningunos otros ni mayores Derechos á la importacion en las dichas Provincias Unidas, de cualesquiera de los Artículos de produccion, cultivo, ó fabricacion de los Dominios de Su Magestad Británica, que los que se paguen, ó en adelante se pagaren, por los mismos Artículos, siendo de produccion, cultivo, ó fabricacion de cualquiera otro Pais Extranjero; ni tampoco se impondrán ningunos otros ni mayores Derechos, en los Territorios ó Dominios de cada una de las Partes Contratantes, á la extraccion de cualesquier Artículos en los Territorios ó Dominios de la otra, que aquellos que se pagan, ó en adelante se pagaren, á la extraccion de iguales Artículos á cualquiera otro Pais Extranjero: ni tampoco se impondrá prohibicion alguna á la extraccion ó introduccion de cualesquier Artículos de produccion, cultivo, ó fabricacion de los Dominios de Su Magestad Británica, ó de las Provincias Unidas á ellas, ó desde las dichas Provincias Unidas, que no comprendiere igualmente á todas las otras Naciones.

V. No higher or other Duties, or Charges, on account of Tonnage, Light, or Harbour Dues, Pilotage, Salvage in case of Damage or Shipwreck, or any other local Charges, shall be imposed, in any of the Ports of the said United Provinces, on British Vessels of the burthen of above one hundred and twenty tons, than those payable, in the same Ports, by Vessels of the said United Provinces of the same burthen; nor in the Ports of any of His Britannick Majesty's Territories, on the vessels of the United Provinces of above one hundred and twenty tons, than shall be payable, in the same Ports, on British Vessels of the same burthen.

VI. The same Duties shall be paid on the importation into the said United Provinces of any Article the growth, produce, or manufacture of His Britannick Majesty's Dominions, whether such importation shall be in vessels of the said United Provinces, or in British Vessels; and the same Duties shall be paid on the importation into the Dominions of His Britannick Majesty of any Article the growth, produce, or manufacture of the said United Provinces, whether such importation shall be in British Vessels, or in Vessels of the said United Provinces:—The same Duties shall be paid, and the same Drawbacks and Bounties allowed, on the exportation of any Articles of the growth, produce, or manufacture of His Britannick Ma-

V. No se impondrá mayor ni alguna otra clase de Derechos ó Cargas por razon de Toneladas Fanal, Puerto, Pilotage, Salvamento en caso de averia ó naufragio, ni otro algun derecho local, en cualesquiera de los Puertos de las dichas Provincias Unidas, á los Buques Británicos de mas de ciento y veinte Toneladas, que aquellos que se pagaren, en los mismos Puertos por los Buques de las dichas Provincias Unidas del mismo porte; ni en los Puertos de cualesquiera de los Territorios de Su Magestad Británica, á los Buques de las Provincias Unidas de mas de ciento y veinte Toneladas, que aquellos que se pagaren, en los mismos Puertos, por los Buques Británicos del mismo porte.

VI. Los mismos Derechos se pagarán á la introduccion en las dichas Provincias Unidas de cualquier Artículo de produccion, cultivo, ó fabricacion de los Dominios de Su Magestad Británica, ya se haga dicha introduccion en Buques de las Provincias Unidas, ó en Buques Británicos; y los mismos Derechos se pagarán á la introduccion en los Dominios de Su Magestad Británica de cualquier Artículo de produccion, cultivo, ó fabricacion de las Provincias Unidas, ya sea que tal introduccion se haga en Buques Británicos, ó en Buques de las dichas Provincias Unidas:—Los mismos Derechos se pagarán, y las mismas concesiones y gratificaciones por via de reembolso de Derechos se abonarán, á la exportacion de cualesquier Artículos



jesty's Dominions to the said United Provinces, whether such exportation shall be in Vessels of the said United Provinces, or in British Vessels; and the same Duties shall be paid, and the same Bounties and Drawbacks allowed, on the exportation of any Articles the growth, produce, or manufacture of the said United Provinces to His Britannick Majesty's Dominions, whether such exportation shall be in British Vessels, or in Vessels of the said United Provinces.

VII. In order to avoid any misunderstanding with respect to the Regulations which may respectively constitute a British Vessel, or a Vessel of the said United Provinces, it is hereby agreed, that all Vessels built in the Dominions of His Britannick Majesty, and owned, navigated, and registered according to the Laws of Great Britain, shall be considered as British Vessels; and that all Vessels built in the Territories of the said United Provinces, properly registered, and owned by the Citizens thereof, or any of them, and whereof the Master, and three-fourths of the Mariners, at least, are Citizens of the said United Provinces, shall be considered as Vessels of the said United Provinces.

VIII. All Merchants, Commanders of Ships, and others, the

de produccion, cultivo, ó fabricacion de los Dominios de Su Magestad Británica á las Provincias Unidas, ya sea que la referida exportacion se haga en Buques de las dichas Provincias Unidas, ó en Buques Británicos; y los mismos Derechos se pagarán, y las mismas concesiones y gratificaciones por via de reembolso de Derechos se abonarán, á la exportacion de cualesquier Artículos de produccion, cultivo, ó fabricacion de las Provincias Unidas á los Dominios de Su Magestad Británica, ya sea que la referida exportacion se haga en Buques Británicos, ó en Buques de las dichas Provincias Unidas.

VII. Con el fin de evitar cualquier mala inteligencia por lo tocante á los Reglamentos que puedan respectivamente constituir un Buque Británico ó un Buque de las dichas Provincias Unidas, se estipula por el presente, que todos los Buques contruidos en los Dominios de Su Magestad Británica, que sean poseidos, tripulados, y matriculados con arreglo á las Leyes de La Gran Bretaña, serán considerados como Buques Británicos; y que todos los Buques contruidos en los Territorios de las dichas Provincias, debidamente matriculados, y poseidos por los Ciudadanos de las mismas, ó cualquiera de ellos, y cuyo Capitan y tres cuartas partes de la Tripulacion sean Ciudadanos de las dichas Provincias Unidas serán considerados como Buques de las dichas Provincias Unidas.

VIII. Todo Comerciante, Comandante de Buque, y demas,  
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Subjects of His Britannick Majesty, shall have the same liberty, in all the Territories of the said United Provinces, as the Natives thereof, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as Broker, Factor, Agent, or Interpreter; nor shall they be obliged to employ any other Persons for those purposes, nor to pay them any salary or remuneration, unless they shall choose to employ them; and absolute freedom shall be allowed, in all cases to the Buyer and Seller, to bargain and fix the price of any goods, wares, or merchandize imported into, or exported from, the said United Provinces, as they shall see good.

IX. In whatever relates to the lading and unlading of Ships, the safety of merchandize, goods, and effects, the disposal of property of every sort and denomination, by sale, donation, or exchange, or in any other manner whatsoever, as also the administration of Justice, the Subjects and Citizens of the Two Contracting Parties shall enjoy, in their respective Dominions, the same Privileges, Liberties, and Rights, as the most favoured Nation, and shall not be charged, in any of these respects, with any higher Duties or Imposts than those which are paid, or may be paid, by the Native Subjects or Citizens of the Power in whose Dominions they may be resident. They shall be exempted from all compulsory Military Service whatsoever, whe-

Súbditos de Su Magestad Británica, tendrán, en todos los Territorios de las dichas Provincias Unidas, la misma libertad que los naturales de ellas, para manejar sus propios asuntos ó confiarlos al cuidado de quien quiera que gusten, en calidad de Corredor, Factor, Agente, ó Yntérprete; ni se les obligará á emplear ninguna otra persona para dichos fines, ni pagarles salario ni remuneracion alguna, á menos que quieran emplearlos; concediendose entera libertad, en todos los casos, al Comprador y Vendedor para contratar y fijar el precio de cualesquier efectos, mercaderias, ó renglones de Comercio, que se introduzcan ó extraigan de las dichas Provincias Unidas, como crean oportuno.

IX. En todo lo relativo á la carga y descarga de Buques, seguridad de mercaderias, pertenencias, y efectos, disposicion de propiedades de toda clase y denominacion, por venta, donacion, cambio ó de cualquier otro modo; como tambien á la administracion de Justicia, los Súbditos y Ciudadanos de las dos Partes Contratantes gozarán, en sus respectivos Dominios, de los mismos Privilegios, Franquezas, y Derechos, como la Nacion mas favorecida, y, por ninguno de dichos motivos, se les exijirá mayores Derechos ó Ympuestos que los que se pagan, ó en adelante se pagaren, por los Súbditos Naturales ó Ciudadanos de la Potencia en cuyos Dominios residieren. Estarán exêntos de todo Servicio militar obligatorio, de cualquier clase que sea, ter-

ther by Sea or Land, and from all forced loans, or military exactions or requisitions; neither shall they be compelled to pay any ordinary taxes, under any pretext whatsoever, greater than those that are paid by Native Subjects or Citizens.

X. It shall be free for each of the Two Contracting Parties to appoint Consuls for the protection of Trade, to reside in the Dominions and Territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls, such particular Places as either of them may judge fit to be so excepted.

XI. For the better security of Commerce between the Subjects of His Britannick Majesty, and the Inhabitants of the United Provinces of Rio de la Plata, it is agreed, that if at any time any interruption of friendly Commercial intercourse, or any rupture should unfortunately take place between the Two Contracting Parties, the Subjects or Citizens of either of the Two Contracting Parties, residing in the Dominions of the other, shall have the privilege of remaining and continuing their Trade therein, without any manner of interruption, so long as they behave peaceably, and commit no offence against the laws; and their effects and property, whether entrusted to Individuals or to the State, shall not be liable to seizure

restre ó marítimo; y de todo empréstito forzoso; de exacciones ó requisiciones militares; ni serán obligados á pagar ninguna contribucion ordinaria, bajo pretexto alguno, mayor que las que pagaren los Súbditos Naturales ó Ciudadanos del Pais.

X. Cada una de las Partes Contratantes estará facultada á nombrar Cónsules para la protección del Comercio, que residan en los Dominios y Territorios de la otra; pero antes que ningun Cónsul pueda ejercer sus funciones, deberá, en la forma acostumbrada, ser aprobado y admitido por el Gobierno cerca del qual haya sido enviado; y cada una de las Partes Contratantes podrá exceptuar de la residencia de Cónsules, aquellos Puntos especiales que una ú otra de ellas juzque oportuno exceptuar.

XI. Para la mayor seguridad del Comercio entre los Súbditos de Su Magestad Británica, y los Habitantes de las Provincias Unidas del Rio de la Plata, se estipula que, en cualquier caso en que por desgracia aconteciese alguna interrupcion de las amigables relaciones de Comercio, ó un rompimiento entre las Dos Partes Contratantes, los Súbditos ó Ciudadanos de cada qual de las Dos Partes Contratantes residentes en los Dominios de la otra, tendrán el privilegio de permanecer y continuar su Tráfico en ellos, sin interrupcion alguna, en tanto que se condujeran con tranquilidad, y no quebrantaren las Leyes de modo alguno; y sus efectos y propiedades, ya fueren confiados á Particulares ó al Es-

or sequestration, or to any other demands than those which may be made upon the like effects or property, belonging to the Native Inhabitants of the State in which such Subjects or Citizens may reside.

**XII.** The Subjects of His Britannick Majesty residing in the United Provinces of Rio de la Plata, shall not be disturbed, persecuted, or annoyed on account of their Religion, but they shall have perfect liberty of conscience therein, and to celebrate Divine Service, either within their own private houses, or in their own particular Churches or Chapels, which they shall be at liberty to build and maintain in convenient places, approved of by the Government of the said United Provinces:—Liberty shall also be granted to bury the Subjects of His Britannick Majesty who may die in the Territories of the said United Provinces, in their own burial places, which, in the same manner, they may freely establish and maintain.

In the like manner, the Citizens of the said United Provinces shall enjoy, within all the Dominions of His Britannick Majesty, a perfect and unrestrained liberty of conscience, and of exercising their Religion publicly or privately, within their own dwelling houses, or in the Chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the Dominions of His said Majesty.

**XIII.** It shall be free for the Subjects of His Britannick Majesty, residing in the United Provinces of Rio de la Plata, to dispose of their

tado, no estarán sugetos á embargo ni secuestro, ni á ninguna otra exaccion que aquellas que puedan hacerse á igual clase de efectos ó propiedades pertenecientes á los Naturales Habitantes del Estado en que dichos Súbditos ó Ciudadanos residieren.

**XII.** Los Súbditos de Su Magestad Británica residentes en las Provincias Unidas del Rio de la Plata, no serán inquietados, perseguidos, ni molestados por razon de su Religion; mas gozarán de una perfecta libertad de conciencia en ellas, celebrando el Oficio Divino ya dentro de sus propias casas, ó en sus propias y particulares Yglesias ó Capillas, las que estarán facultados para edificar y mantener en los sitios convenientes, que sean aprobados por el Gobierno de dichas Provincias Unidas: tambien será permitido enterrar á los Súbditos de Su Magestad Británica que murieren en los Territorios de las dichas Provincias Unidas, en sus propios cementerios, que podrán, del mismo modo, libremente, establecer y mantener. Asimismo los Ciudadanos de las dichas Provincias Unidas, gozarán, en todos los Dominios de Su Magestad Británica, de una perfecta é ilimitada libertad de conciencia, y del ejercicio de su Religion pública ó privadamente, en las casas de su morada, ó en las Capillas y sitios de culto destinados para el dicho fin, en conformidad con el sistema de tolerancia establecido en los Dominios de Su Magestad.

**XIII.** Los Súbditos de Su Magestad Británica residentes en las Provincias Unidas del Rio de la Plata, tendrán el derecho de disponer



property, of every description, by Will or Testament, as they may judge fit; and, in the event of any British Subject dying without such Will or Testament in the Territories of the said United Provinces, the British Consul-General, or, in his absence, his Representative, shall have the Right to nominate Curators, to take charge of the property of the deceased, for the benefit of his lawful heirs and creditors, without interference, giving convenient notice thereof to the Authorities of the Country; and reciprocally.

XIV. His Britannick Majesty being extremely desirous of totally abolishing the Slave Trade, The United Provinces of Rio de la Plata engage to co-operate with His Britannick Majesty for the completion of so beneficent a work, and to prohibit all Persons inhabiting within the said United Provinces, or subject to their jurisdiction, in the most effectual manner, and by the most solemn Laws, from taking any share in such Trade.

XV. The present Treaty shall be ratified, and the Ratifications shall be exchanged in London, within four months, or sooner if possible.

In Witness whereof the respective Plenipotentiaries have signed the same, and have affixed their Seals thereunto.

Done at Buenos Ayres, the second day of February, in the year of our Lord one thousand eight hundred and twenty-five.

WOODBINE PARISH, (L.S.)

libremente de sus propiedades, de toda clase, en la forma que quisieren ó por testamento, segun lo tengan por conveniente; y en caso que muriere algun Súbdito Británico, sin haber hecho su dicha última disposicion ó testamento, en el Territorio de las Provincias Unidas, el Cónsul-General Británico, ó, en su ausencia, el que lo representare, tendrá el derecho de nombrar Curadores, que se encarguen de la propiedad del difunto, á beneficio de los legítimos herederos y acrehedores, sin intervencion alguna, dando noticia conveniente á las Autoridades del Pais; y reciprocamente.

XIV. Deseando Su Magestad Británica ansiosamente la abolicion total del Comercio de Esclavos, las Provincias Unidas del Rio de la Plata se obligan á co-operar con su Magestad Británica al complemento de obra tan benéfica, y á prohibir á todas las Personas residentes en las dichas Provincias Unidas, ó sugetas á su jurisdiccion, del modo mas eficaz, y por las leyes mas solemnnes, de tomar parte alguna en dicho Tráfico.

XV. El presente Tratado será ratificado, y las Ratificaciones cangeadas en Lóndres, dentro de cuatro meses, ó antes, si fuere posible.

En Testimonio de lo cual los respectivos Plenipotenciarios lo han firmado, y sellado con sus Sellos.

Hecho en Buenos Ayres, el dia dos de Febrero, en el año de nuestro Señor mil ochocientos veinte y cinco.

MAN<sup>u</sup>. J. GARCIA, (L. S.)

*CONVENTION between Great Britain and Russia.—**Signed at St. Petersburg, February  $\frac{28}{16}$  1825.**(Presented to Parliament May 16, 1825.)*

*In the Name of the Most Holy and Undivided Trinity.*      *Au Nom de la Très Sainte et Indivisible Trinité.*

*(Translation.)*

HIS Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty The Emperor of all the Russias, being desirous of drawing still closer the Ties of good Understanding and Friendship which unite them, by means of an Agreement which may settle, upon the basis of reciprocal convenience, different points connected with the Commerce, Navigation, and Fisheries of their Subjects on the Pacific Ocean, as well as the limits of their respective Possessions on the North West Coast of America, have named Plenipotentiaries to conclude a Convention for this purpose, that is to say:—His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable Stratford Canning, a Member of His said Majesty's Most Honourable Privy Council, &c. and His Majesty The Emperor of all the Russias, The Sieur Charles Robert Count de Nesselrode, His Imperial Majesty's Privy Councillor, a Member of the Council of the Empire, Secretary of State for the Department of Foreign Affairs, &c. and the Sieur Pierre de Poletica, His Imperial Majes-

SA Majesté le Roi du Royaume Uni de La Grande Bretagne et de l'Irlande, et Sa Majesté l'Empereur de toutes les Russies, désirant resserrer les liens de bonne intelligence et d'amitié qui les unissent, au moyen d'un accord qui régleroit, d'après le principe des convenances réciproques, divers points relatifs au Commerce, à la Navigation, et aux Pêcheries de leurs Sujets sur l'Océan Pacifique, ainsi que les limites de leurs Possessions respectives sur la Côte Nord Ouest de l'Amérique, ont nommé des Plénipotentiaires pour conclure une Convention à cet effet, savoir: —Sa Majesté le Roi du Royaume Uni de La Grande Bretagne et de l'Irlande, le Très Honorable Stratford Canning, Conseiller de Sa dite Majesté en Son Conseil Privé, &c. Et Sa Majesté l'Empereur de toutes les Russies, le Sieur Charles Robert Comte de Nesselrode, Son Conseiller Privé actuel, Membre du Conseil de l'Empire, Secrétaire d'Etat dirigeant le Ministère des Affaires Etrangères, &c.; et le Sieur Pierre de Poletica, Son Conseiller d'Etat actuel, &c. Lesquels Plénipotentiaires, après s'être communiqué leurs Plein-pouvoirs respectifs, trouvés en

ty's Councillor of State, &c. Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and signed the following Articles :

I. It is agreed that the respective Subjects of The High Contracting Parties shall not be troubled or molested, in any part of the Ocean, commonly called the Pacific Ocean, either in navigating the same, in fishing therein, or in landing at such Parts of the Coast as shall not have been already occupied, in order to trade with the Natives, under the restrictions and conditions specified in the following Articles.

II. In order to prevent the Right of navigating and fishing, exercised upon the Ocean by the Subjects of The High Contracting Parties, from becoming the pretext for an illicit Commerce, it is agreed that the Subjects of His Britannic Majesty shall not land at any Place where there may be a Russian Establishment, without the permission of the Governor or Commandant; and, on the other hand, that Russian Subjects shall not land, without permission, at any British Establishment on the North-West Coast.

III. The line of demarcation between the Possessions of the High Contracting Parties, upon the Coast of the Continent, and the Islands of America to the North-West, shall be drawn in the manner following :—

bonne et due forme, ont arrêté et signé les Articles suivans :—

I. Il est convenu que dans aucune partie du Grand Océan, appelé communément Océan Pacifique, les Sujets respectifs des Hautes Puissances Contractantes ne seront ni troublés, ni gênés, soit dans la navigation, soit dans l'exploitation de la pêche, soit dans la faculté d'aborder aux Côtes, sur des Points qui ne seroient pas déjà occupés, afin d'y faire le commerce avec les Indigènes, sauf toutefois les restrictions et conditions déterminées par les Articles qui suivent.

II. Dans la vûe d'empêcher que les droits de navigation et de pêche exercés sur le Grand Océan par les Sujets des Hautes Parties Contractantes, ne deviennent le prétexte d'un commerce illicite, il est convenu que les Sujets de Sa Majesté Britannique n'aborderont à aucun Point où il se trouve un Etablissement Russe, sans la permission du Gouverneur ou Commandant, et que, réciproquement, les Sujets Russes ne pourront aborder, sans permission, à aucun Etablissement Britannique, sur la Côte Nord Ouest.

III. La ligne de démarcation entre les Possessions des Hautes Parties Contractantes sur la Côte du Continent et les Iles de l'Amérique Nord Ouest, sera tracée ainsi qu'il suit :—

Commencing from the Southernmost Point of the Island called *Prince of Wales* Island, which Point lies in the parallel of 54 Degrees 40 Minutes, North Latitude, and between the 131st and the 133d Degree of West Longitude (Meridian of Greenwich), the said line shall ascend to the North along the Channel called *Portland Channel*, as far as the Point of the Continent where it strikes the 56th Degree of North Latitude; from this last mentioned Point, the line of demarcation shall follow the summit of the mountains situated parallel to the Coast, as far as the point of intersection of the 141st Degree of West Longitude (of the same Meridian); and, finally, from the said point of intersection, the said Meridian Line of the 141st Degree, in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British Possessions on the Continent of America to the North West.

IV. With reference to the line of demarcation laid down in the preceding Article it is understood;

1st. That the Island called *Prince of Wales* Island shall belong wholly to Russia.

2nd. That wherever the summit of the mountains which extend in a direction parallel to the Coast, from the 56th degree of north Latitude to the point of intersection of the 141st degree of West Longitude, shall prove to be at the distance of more than ten marine leagues from the Ocean, the limit between the British Possessions

A partir du Point le plus méridional de l'Île dite *Prince of Wales*, lequel Point se trouve sous la parallèle du 54<sup>me</sup> degré 40 minutes de latitude Nord, et entre le 131<sup>me</sup> et le 133<sup>me</sup> degré de longitude Ouest (Méridien de Greenwich), la dite ligne remontera au Nord le long de la passe dite *Portland Channel*, jusqu'au Point de la terre ferme où elle atteint le 56<sup>me</sup> degré de latitude Nord: de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la Côte, jusqu'au point d'intersection du 141<sup>me</sup> degré de longitude Ouest (même Méridien); et, finalement, du dit point d'intersection, la même ligne méridienne du 141<sup>me</sup> degré formera, dans son prolongement jusqu'à la mer Glaciale, la limite entre les Possessions Russes et Britanniques sur le Continent de l'Amérique Nord Ouest.

IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent:

1°. Que l'île dite *Prince of Wales* appartiendra toute entière à La Russie:

2°. Que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la Côte depuis le 56<sup>me</sup> degré de latitude Nord au point d'intersection du 141<sup>me</sup> degré de longitude Ouest, se trouveroit à la distance de plus de dix lieues marines de l'Océan, la limite entre les Possessions Britanniques et la lisière de Côte



and the line of Coast which is to belong to Russia, as above-mentioned, shall be formed by a line parallel to the windings of the Coast, and which shall never exceed the distance of ten marine leagues therefrom.

V. It is moreover agreed, that no Establishment shall be formed by either of the Two Parties within the limits assigned by the two preceding Articles to the Possessions of the Other: consequently, British Subjects shall not form any Establishment either upon the Coast, or upon the border of the Continent comprised within the limits of the Russian Possessions, as designated in the two preceding Articles; and, in like manner, no Establishment shall be formed by Russian Subjects beyond the said limits.

VI. It is understood that the Subjects of His Britannic Majesty, from whatever Quarter they may arrive, whether from the Ocean, or from the interior of the Continent, shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of Coast described in Article 3. of the present Convention.

VII. It is also understood, that, for the space of ten Years from the signature of the present Convention, the Vessels of the Two Powers, or those belonging to Their respective Subjects, shall mutually be at liberty to frequent, without any hindrance whatever, all the

mentionnée ci-dessus comme devant appartenir à La Russie, sera formée par une ligne parallèle aux sinuosités de la Côte, et qui ne pourra jamais en être éloignée que de dix lieues marines.

V. Il est convenu en outre, que nul Etablissement ne sera formé par l'une des deux Parties dans les limites que les deux Articles précédens assignent aux Possessions de l'Autre. En conséquence, les Sujets Britanniques ne formeront aucun Etablissement soit sur la côte, soit sur la lisière de terre ferme comprise dans les limites des Possessions Russes, telles qu'elles sont désignées dans les deux Articles précédens; et, de même, nul Etablissement ne sera formé par des Sujets Russes au delà des dites limites.

VI. Il est entendu que les Sujets de Sa Majesté Britannique, de quelque Côté qu'ils arrivent, soit de l'Océan, soit de l'intérieur du Continent, jouiront à perpétuité du droit de naviguer librement, et sans entrave quelconque, sur tous les fleuves et rivières, qui, dans leurs cours vers la mer Pacifique, traverseront la ligne de démarcation sur la lisière de la Côte indiquée dans l'Article 3. de la présente Convention.

VII. Il est aussi entendu que, pendant l'espace de dix Ans, à dater de la signature de cette Convention, les Vaisseaux des deux Puissances, ou ceux appartenans à leurs Sujets respectifs, pourront réciproquement fréquenter, sans entrave quelconque, toutes les

inland Seas, the Gulfs, Havens, and Creeks on the Coast mentioned in Article 3. for the purposes of fishing and of trading with the Natives.

VIII. The Port of Sitka, or Novo Archangelsk, shall be open to the Commerce and Vessels of British Subjects for the space of ten Years from the date of the exchange of the Ratifications of the present Convention. In the event of an extension of this term of ten years being granted to any other Power, the like extension shall be granted also to Great Britain.

IX. The above-mentioned liberty of Commerce shall not apply to the trade in spirituous liquors, in fire arms, or other arms, gunpowder or other warlike stores; the High Contracting Parties reciprocally engaging not to permit the above-mentioned articles to be sold or delivered, in any manner whatever, to the Natives of the Country.

X. Every British or Russian Vessel navigating the Pacific Ocean, which may be compelled by storms or by accident, to take shelter in the Ports of the respective Parties, shall be at liberty to refit therein, to provide itself with all necessary stores, and to put to sea again, without paying any other than Port and Lighthouse dues, which shall be the same as those paid by National Vessels. In case, however, the Master of such Vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expences, he

Mers intérieures, les Golfes, Havres, et Criques sur la Côte mentionnée dans l'Article 3. afin d'y faire la pêche et le commerce avec les Indigènes.

VIII. Le Port de Sitka, ou Novo Archangelsk, sera ouvert au Commerce et aux Vaisseaux des Sujets Britanniques durant l'espace de dix ans, à dater de l'échange des Ratifications de cette Convention. Au cas qu'une prolongation de ce terme de dix ans soit accordée à quelque autre Puissance, la même prolongation sera également accordée à La Grande Bretagne.

IX. La susdite liberté de commerce ne s'appliquera point au trafic des liqueurs spiritueuses, des armes à feu, des armes blanches, de la poudre à canon, ou d'autres munitions de guerre; les Hautes Parties Contractantes s'engageant réciproquement à ne laisser ni vendre, ni livrer, de quelque manière que ce puisse être, aux Indigènes du pays, les articles ci-dessus mentionnés.

X. Tout Vaisseau Britannique ou Russe naviguant sur l'Océan Pacifique, qui sera forcé par des tempêtes, ou par quelque accident, de se réfugier dans les Ports des Parties respectives, aura la liberté de s'y radoubier, de s'y pourvoir de tous les objets qui lui seront nécessaires, et de se remettre en mer, sans payer d'autres Droits que ceux de Port et de Fanaux, lesquels seront pour lui les mêmes que pour les Bâtimens Nationaux. Si, cependant, le Patron d'un tel navire se trouvoit dans la nécessité de se défaire d'une partie de ses marchandises pour subvenir à

shall conform himself to the Regulations and Tariffs of the Place where he may have landed.

XI. In every case of complaint on account of, an infraction of the Articles of the present Convention, the Civil and Military Authorities of The High Contracting Parties, without previously acting or taking any forcible measure, shall make an exact and circumstantial Report of the matter to their respective Courts, who engage to settle the same, in a friendly manner, and according to the principles of justice.

XII. The present Convention shall be ratified, and the Ratifications shall be exchanged at London, within the space of six weeks, or sooner if possible.

In Witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at St. Petersburg, the <sup>Twenty-Eighth</sup><sub>Sixteenth</sub> Day of February, in the Year of our Lord One Thousand Eight Hundred and Twenty-five.

(L. S.)  
STRATFORD CANNING.

(L. S.)  
The COUNT de NESSELRODE.

(L. S.)  
PIERRE DE POLETICA.

ses dépenses, il sera tenu de se conformer aux Ordonnances et aux Tarifs de l'Endroit où il aura abordé.

XI. Dans tous les cas de plaintes relatives à l'infraction des Articles de la présente Convention, les Autorités Civiles et Militaires des deux Hautes Parties Contractantes, sans se permettre au préalable ni voie de fait, ni mesure de force, seront tenues de faire un rapport exact de l'affaire et de ses circonstances à leurs Cours respectives, lesquelles s'engagent à la régler à l'amiable, et d'après les principes d'une parfaite justice.

XII. La présente Convention sera ratifiée, et les Ratifications en seront échangées à Londres, dans l'espace de six semaines, ou plutôt si faire se peut.

En Foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé le Cachet de leurs Armes.

Fait à St. Pétersbourg, le <sup>Vingt huit</sup><sub>Seize</sub> Février, de l'an de Grace mil-huit-cent-vingt-cinq.

(L. S.)  
STRATFORD CANNING.

(L. S.)  
Le COMTE de NESSELRODE.

(L. S.)  
PIERRE DE POLETICA.

*CONVENTION of Commerce between Great Britain and Denmark.—Signed at London, June 16, 1824.*

(Presented to Parliament, February 4th, 1825.)

HIS Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty The King of Denmark, being equally desirous of extending and increasing the commercial intercourse between Their respective States, and of affording every facility and encouragement to Their Subjects engaged in such intercourse; and being of opinion that nothing will more contribute to the attainment of Their mutual wishes in this respect, than a reciprocal abrogation of all discriminating and countervailing Duties which are now demanded and levied upon the Ships or Productions of either Nation in the Ports of the Other, have appointed Their Plenipotentiaries to conclude a Convention for that purpose, that is to say:—

His Majesty The King of The United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs;—and The Right Honourable William Huskisson, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of His said Majesty's Navy:—

And His Majesty The King of

SA Majesté Le Roi du Royaume Uni de La Grande Bretagne et de l'Irlande, et Sa Majesté Le Roi de Dannemarc, également animés du désir d'étendre et d'accroître les relations commerciales entre Leurs Etats respectifs, et de procurer toutes les facilités et tous les encouragemens possibles à ceux de Leurs Sujets qui ont part à ces relations; et persuadés que rien ne sauroit contribuer davantage à l'accomplissement de Leurs souhaits mutuels à cet égard, que l'abolition réciproque de toute différence entre les impôts levés aujourd'hui sur les Bâtimens ou les Productions de l'un des deux Etats dans les Ports de l'Autre, ont nommé des Plénipotentiaires pour conclure une Convention à cet effet, savoir:—

Sa Majesté Le Roi du Royaume Uni de La Grande Bretagne et de l'Irlande, Le Très Honorable George Canning, Conseiller de Sa dite Majesté en Son Conseil Privé, Membre du Parlement, et Son Principal Secrétaire d'Etat ayant le Département des Affaires Etrangères;—Et Le Très Honorable William Huskisson, Conseiller de Sa dite Majesté en Son Conseil Privé, Membre du Parlement, Président du Comité du Conseil Privé pour les Affaires de Commerce et des Colonies, et Trésorier de la Marine de Sa dite Majesté:—

Et Sa Majesté Le Roi de



Denmark, Charles Emilius Count de Moltke, Grand Cross of the Order of Danebrog, His said Majesty's Privy Councillor of Conferences, and His Envoy Extraordinary at the Court of His Britannick Majesty :—who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles :

I. From and after the 1st day of July next, Danish Vessels entering or departing from the Ports of the United Kingdom of Great Britain and Ireland, and British Vessels entering or departing from the Ports of His Danish Majesty's Dominions, shall not be subject to any other or higher Duties or Charges whatever, than are or shall be levied on National Vessels entering or departing from such Ports respectively.

II. All Articles of the growth, produce, or manufacture of any of the Dominions of either of the High Contracting Parties, which are or shall be permitted to be imported into, or exported from the Ports of the United Kingdom and of Denmark, respectively, in Vessels of the one Country, shall, in like manner, be permitted to be imported into and exported from those Ports in Vessels of the other.

III. All Articles not of the growth, produce, or manufacture of the Dominions of His Britan-

Dannemarc, le Sieur Charles Emile Comte de Moltke, Grand Croix de l'Ordre de Dannebrog, Conseiller intime de Conférences de Sa dite Majesté, et Son Envoyé Extraordinaire près Sa Majesté Britannique : — Lesquels, après s'être communiqués réciproquement leurs Pleins-pouvoirs respectifs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivans :

I. A dater du 1<sup>er</sup> de Juillet de cette année, et après cette époque, les Bâtimens Danois qui entreront dans les Ports du Royaume Uni de La Grande Bretagne et de l'Irlande, ou qui en sortiront, et les Navires Anglais qui entreront dans les Ports du Dannemarc, ou qui en sortiront, ne seront sujets à aucuns Droits ou Charges, de quelque nature qu'ils soient, autres ou plus considérables que ceux qui sont actuellement, ou pourront, par la suite, être imposés aux Navires indigènes à leur entrée dans ces Ports, ou à leur sortie.

II. Toutes les Productions du sol et de l'industrie de tous les États soumis à la domination des Hautes Parties Contractantes, dont l'importation dans les Ports Danois, et dans les Ports du Royaume Uni, ou l'exportation de ces mêmes Ports, est, ou sera permise, dans les Navires indigènes, pourront y être importés, ou en être exportés, exactement de la même manière, dans les Navires appartenans aux États de l'autre.

III. Tous les objets qui ne sont pas des productions du sol et de l'industrie des États soumis à

nick Majesty, which can legally be imported from the United Kingdom of Great Britain and Ireland into the Ports of the Dominions of The King of Denmark, in British Ships, shall be subject only to the same Duties as are payable upon the like Articles, if imported in Danish Ships: and the same reciprocity shall be observed, with regard to Danish Vessels, in the Ports of the said United Kingdom of Great Britain and Ireland, in respect to all Articles not the growth, produce or manufacture of the Dominions of His Danish Majesty, which can legally be imported into the Ports of the United Kingdom in Danish Ships.

IV. All goods, wares, and merchandize which can legally be imported into the Ports of either Country, shall be admitted at the same rate of Duty, whether imported in Vessels of the other Country, or in National Vessels; and all goods, wares or merchandise which can be legally exported from the Ports of either Country, shall be entitled to the same bounties, drawbacks, and allowances, whether exported in Vessels of the other Country, or in National Vessels.

V. No priority or preference shall be given directly or indirectly, by the Government of either Country, or by any Company, Corporation, or Agent, acting on its behalf, or under its authority, in

la domination de Sa Majesté Britannique, et qui peuvent légalement être importés du Royaume Uni de La Grande Bretagne et de l'Irlande dans les Ports des États de Sa Majesté Le Roi de Dannemarc, sur des Vaisseaux Anglais, ne seront soumis qu'aux mêmes droits que payeroient ces mêmes objets, s'ils étoient importés sur des Vaisseaux Danois. Une exacte réciprocité sera observée, à l'égard des Vaisseaux Danois, dans les Ports du dit Royaume Uni de La Grande Bretagne et de l'Irlande, relativement aux objets qui ne sont pas des productions du sol et de l'industrie des États de Sa Majesté Danoise, et qui peuvent être légalement importés dans les Ports du Royaume Uni sur des Vaisseaux Danois.

IV. Toutes les marchandises et objets de commerce, dont l'entrée dans les Ports de l'un des deux États, est permise, seront exactement sujets aux mêmes Droits, qu'ils soient importés par les Navires de l'autre État, ou par les Bâtimens Nationaux; et il sera accordé pour toutes les marchandises et objets de commerce, dont la sortie des Ports des deux États est permise, les mêmes primes, remboursemens de droits, et avantages, que l'exportation s'en fasse par les Navires de l'un ou par ceux de l'autre État.

V. Il ne sera donné, ni directement, ni indirectement, ni par l'un des deux Gouvernemens, ni par aucune Compagnie, Corporation, ou Agent, agissant en son nom, ou sous son autorité, aucune préfé-

the purchase of any Article the growth, produce, or manufacture of either Country, imported into the other on account of, or in reference to the character of the Vessel in which such Article was imported; it being the true intent and meaning of The High Contracting Parties, that no distinction or difference whatever shall be made in this respect.

VI. The High Contracting Parties having mutually determined not to include, in the present Convention, Their respective Colonies, in which are comprehended, on the part of Denmark, Greenland, Iceland, and the Islands of Ferroe; it is expressly agreed that the intercourse which may at present legally be carried on by the Subjects or Ships of either of the said High Contracting Parties with the Colonies of the other, shall remain upon the same footing as if this Convention had never been concluded.

VII. The present Convention shall be in force for the term of Ten Years from the date hereof; and further, until the end of Twelve Months after either of the High Contracting Parties shall have given notice to the other of Its intention to terminate the same; each of the High Contracting Parties reserving to Itself the right of giving such notice to the Other, at the end of the said term of Ten Years; and it is hereby agreed between Them, that, at the expiration of Twelve Months after such Notice

rence quelconque, pour l'achat d'aucune production du sol ou de l'industrie de l'un des deux États, importée dans le Territoire de l'autre, à cause ou en considération de la nationalité du Navire qui auroit transporté cette production; l'intention bien positive des deux Hautes Parties Contractantes étant, qu'aucune différence ou distinction quelconque n'ait lieu à cet égard.

VI. Les Hautes Parties Contractantes étant tombées d'accord de ne pas comprendre, dans la présente Convention, Leurs Colonies respectives, y comprises, de la part du Dannemarc, la Groenlande, l'Islande, et les Iles de Ferroe; il est expressément convenu que le Commerce actuellement permis, en conformité des Lois existantes, aux Sujets et aux Vaisseaux de l'une des dites Hautes Parties Contractantes avec les Colonies de l'autre, restera sur le même pied que si la présente Convention n'eût pas été conclue.

VII. La présente Convention sera en vigueur pendant Dix Ans, à dater de ce jour, et au delà de ce terme, jusqu'à l'expiration de Douze Mois après que l'une des Hautes Parties Contractantes aura annoncé à l'autre son intention de la terminer; chacune des Hautes Parties Contractantes Se réservant le droit de faire à l'autre une telle Déclaration au bout des Dix Ans susmentionnés; et il est convenu entre Elles, qu'à l'expiration de Douze Mois après qu'une telle Déclaration de l'une des Hautes Parties Contractantes

shall have been received by either Party from the other, this Convention, and all the Provisions thereof, shall altogether cease and determine.

VIII. The present Convention shall be ratified, and the Ratifications shall be exchanged at London, within One Month from the date hereof, or sooner if possible.

In Witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 16th day of June, in the Year of our Lord 1824.

(L.S.) GEORGE CANNING.

(L.S.) W. HUSKISSON.

#### SEPARATE ARTICLE.

The High Contracting Parties reserve to Themselves to enter upon Additional Stipulations for the purpose of facilitating and extending, even beyond what is comprehended in the Convention of this date, the commercial relations of Their respective Subjects and Dominions, upon the principle either of reciprocal or equivalent advantages, as the case may be :— And in the event of any Article or Articles being concluded between the said High Contracting Parties, for giving effect to such Stipulations, it is hereby agreed, that the Article or Articles which may hereafter be so concluded, shall be considered as forming part of the aforesaid Convention.

The present Separate Article shall have the same force and validity as if it were inserted, word for word, in the Convention signed this day. It shall be ratified, and

aura été reçue par l'autre, cette Convention, et toutes les Stipulations y renfermées cesseront d'être obligatoires pour les deux Parties.

VIII. La présente Convention sera ratifiée, et les Ratifications en seront échangées à Londres, dans l'espace d'un Mois, ou plutôt si faire se peut.

En Foi de quoi, les Plénipotentiaires respectifs l'ont signée, et y ont apposé le Cachet de leurs Armes.

Fait à Londres, le seize Juin, l'An de Grâce 1824.

(L.S.) C. E. MOLTKE.

#### ARTICLE SÉPARÉ.

Les Hautes Parties Contractantes Se réservent de S'entendre sur des Stipulations Additionnelles, à l'effet de faciliter et de donner plus d'extension, même au delà des dispositions de la Convention de ce jour, aux relations commerciales de Leurs Sujets et États respectifs, sur la base d'avantages réciproques ou équivalens, selon que cela pourra être :—Et, supposé la signature, par les dites Hautes Parties Contractantes, d'un ou de plusieurs Articles renfermant de pareilles Stipulations, il est convenu que tel ou tels Articles qui seraient, par la suite ainsi conclus, seront considérés comme faisant partie intégrale de la susdite Convention.

Le présent Article Séparé aura la même force et valeur que s'il était inséré, mot à mot, dans la Convention de ce jour. Il sera ratifié, et les Ratifications en



the Ratifications shall be exchanged at the same time.

In Witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 16th day of June, in the Year of our Lord 1824.

(L.S.) GEORGE CANNING.  
(L.S.) W. HUSKISSON.

#### ADDITIONAL ARTICLE.

Their Britannick and Danish Majesties mutually agree, that no higher or other Duties shall be levied, in either of Their Dominions (Their respective Colonies being excepted from the Convention of this date) upon any personal property of Their respective Subjects, on the removal of the same from the Dominions of their said Majesties reciprocally, (either upon the inheritance of such property, or otherwise,) than are or shall be payable in each State, upon the like property, when removed by a Subject of such State respectively.

The present Additional Article shall have the same force and validity as if it were inserted, word for word, in the Convention signed this day. It shall be ratified, and the Ratifications shall be exchanged at the same time.

In Witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 16th day of June, in the Year of our Lord 1824.

(L.S.) GEORGE CANNING.  
(L.S.) W. HUSKISSON.

seront échangées en même tems.

En Foi de quoi, les Plenipotentiaries respectifs l'ont signé, et y ont apposé le Cachet de leurs Armes.

Fait à Londres le 16 Juin, l'An de Grace 1824.

(L.S.) C. E. MOLTKE.

#### ARTICLE ADDITIONNEL.

Leurs Majestés Britannique et Danoise sont mutuellement convenues, qu'à l'avenir il ne sera levé dans Leurs États (les Colonies de part et d'autre étant exceptées de la Convention de ce jour) aucun droit autre ou plus considérable sur les effets et la propriété personnelle de Leurs Sujets respectifs, en les transférant des États de Leurs dites Majestés réciproquement, (soit en cas d'héritage ou autrement) qu'il ne sera payé dans chaque État sur les dites propriétés et effets, en les faisant sortir du Pays par les Sujets des États respectifs.

Le présent Article Additionnel aura la même force et valeur que s'il était inséré, mot à mot, dans la Convention de ce jour. Il sera ratifié, et les Ratifications en seront échangées en même tems.

En Foi de quoi, les Plénipotentiaries respectifs l'ont signé, et y ont apposé le Cachet de leurs Armes.

Fait à Londres, le 16 Juin, l'An de Grace 1824.

(L.S.) C. E. MOLTKE.

***DECLARATION on the part of Great Britain and of  
Hanover, respecting reciprocity of Commerce.—Signed at  
London, June 12, 1824.***

(Presented to Parliament, 4th February, 1825.)

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**DECLARATION.**

The Undersigned, His Britannick Majesty's Principal Secretary of State for Foreign Affairs, and the Minister of State and Cabinet of His Majesty The King of Hanover, hereby declare, in the name of their respective Governments:

That the Hanoverian Government having placed British Ships, and all Articles imported in such Ships, in respect to all Duties, whether upon the Goods or upon the Ships, and in respect to charges and privileges of Pilotage, upon the same footing with Hanoverian Ships, and the like Goods, if imported in such Ships; and the said Hanoverian Government binding Itself to observe these Conditions, and any other Stipulations in favour of the Shipping and Commerce of Great Britain, which are contained in a Convention between His Britannick Majesty and The King of Prussia, concluded and signed at London on the 2d of April, 1824:\*

His Britannick Majesty engages to extend to the Subjects and Shipping of the Kingdom of Hanover, all the benefits secured by the said Convention to the Shipping and Commerce of Prussia, upon the principle of reciprocity which forms the basis of the said Convention.

In Witness whereof, they have signed the present Declaration, and have affixed thereto the Seals of their Arms.

Done at London, the 12th day of June, in the Year of our Lord, 1824.

(L. S.) GEORGE CANNING.

(L. S.) MÜNSTER.

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\* See State Papers, 1823, 1824, Page 185.

**CORRESPONDENCE OF THE FOREIGN OFFICE,  
RELATING TO THE SLAVE TRADE.**

1824,—1825, viz.

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*Memorandum.* The Despatches received in this Country are placed according to the date of their receipt.

The Despatches sent from hence are placed according to the date which they bear.

SIERRA LEONE. (*General.*)

No. 1.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 9, 1824.*

IN reference to my Despatch to you, of the 7th of May last, I send to you, for your information, the Copy of a Letter from the Admiralty, stating that Orders have been given for enjoining the Officers employed under the Slave-trade Restriction Treaties, to attend to the purport of the suggestions which you had submitted in regard to obtaining Evidence, as to the number of Slaves that may be on board of captured Slave-trading Vessels at the time of their detention.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

(*Enclosure.*) *John Barrow, Esq. to Joseph Planta, Jun. Esq.*

SIR,

*Admiralty Office, May 13, 1824.*

HAVING laid before My Lords Commissioners of the Admiralty your Letter of the 7th Instant, enclosing a Copy of a Despatch from His Majesty's Commissioners at Sierra Leone, in which they suggest that some directions should be given to His Majesty's Naval Officers, acting under the Treaties for the Prevention of the Slave-trade, in regard to the obtaining Evidence as to the number of Slaves that may be on board captured Slave Vessels, at the time of their detention; I am commanded by my Lords to acquaint you, for the information of Mr. Secretary Canning, that they have given Orders for enjoining the Officers employed in the Service alluded to, to attend to the suggestion of the Commissioners upon that point.

I am, &c.

*Joseph Planta, Jun. Esq.*

JOHN BARROW.

No. 2.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 19, 1824.*

I HEREWITH transmit to you, for your information, six Copies of Papers marked A. and B. relative to the Slave-trade, which have been presented to both Houses of Parliament, by His Majesty's Command, in the course of the present Session.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 3.—*His Majesty's Commrs to Mr. Secy. Canning.—(Rec. July 14.)*

SIR,

*Sierra Leone, May 15, 1824.*

WE have the honour to report to you such information as we have been enabled to collect, and such observations as we have been enabled



to make, upon the state of the Slave-trade on the *Western Coast* of *Africa*, since the last Report made to you on this subject by His Majesty's Commissioners on the 29th of April, 1823.

The arrival of a new Governor-General from *Portugal* at the *Cape de Verd Islands* with a body of European Soldiers, about the commencement of last Year, gave hopes that a system of restraint would be commenced in those Islands, by the Government, against the illicit traders in Slaves. It has indeed been said that soon after the Governor-General's arrival, some Slaves were seized by his orders that were to have been shipped off the Island of *Saint Jago* for the purposes of Traffick; but we have not heard that this seizure was followed by any other act of vigour on the part of the Government against the illicit Slave-traders. We fear that the Government may have relapsed into its former supineness with regard to those traders, as reports have been very prevalent that the conveyance of Slaves from the *Portuguese* Settlements of *Bissao*, and *Cacheo*, and from the River *Cazamanza* to the Islands of the *Cape de Verd* still continues to exist. The Slaves from those Places are conveyed in small vessels to the Islands, are landed at some convenient place not far from the principal Towns into which they are subsequently conveyed, and kept in Depôt until an opportunity occurs for their being taken off the Islands by Slave Ships.

The Persons employed in this sort of Traffic reside mostly at *Porto Praya*, the chief Town of the Island of *Saint Jago*; and, no doubt, they and their pursuits must be very well known to the Government of that Island. The former Master of the *Portuguese* Schooner "*Conde de Villa Flor*," that was taken off *Bissao*, laden with Slaves in the month of February 1822, by the Boats of His Majesty's Ship, *Iphigenia*, is very much concerned in this carrying Slave-Trade betwixt *Bissao*, *Cacheo*, and the *Cape de Verd Islands*. This Man is stated to be extremely active in the Trade. Irritated at the loss of his Vessel, the "*Conde de Villa Flor*," he is said to have declared his determination not to relinquish the Traffic. It is stated that he had intimated that the voyage of the "*Conde de Villa Flor*" in which she was captured, was to have been her last, and that it was his intention to have retired from the Trade, but that he is determined now, out of a spirit of defiance, to pursue the Slave-trade with all the means in his power. This Man is described as being intelligent, and as possessing some influence at *Bissao*, *Cacheo*, and the *Cape de Verd Islands*: his removal from these Places would be beneficial, and we hope that he may yet be removed under the provisions of the *Portuguese Alvara* relating to the illicit Slave-trade, the penalties of which might justly be applied to him for the share which he had in the affair of the "*Conde de Villa Flor*." Another carrier of Slaves betwixt *Bissao* and the *Cape de Verd Islands* is a Frenchman named *Antoine Leger*. This person was also concerned in the affair of the "*Conde de Villa Flor*."

This carrying Slave-trade can only be entirely suppressed by the Local Governments of the Places from whence and to which the Slaves are carried. And it will only be suppressed when a moral feeling shall have arisen amongst the *Portuguese* People which shall cause the Trade to be held in reprehension, by those Governments. It must be confessed that at present no such feeling seems to exist.

Some of the *Cape de Verd Islands* are described as being capable of producing coffee, sugar, cotton, and most tropical fruits. The attention of the Inhabitants, it appears is but little turned to the cultivation of these articles. Some wine is produced in the Island of *Saint Jago* of a tolerably good quality.

The rearing of stock, it is said, is attended to in the Island of *Saint Jago*. A great proportion of the Ships of all Nations bound to the *East Indies*, or to places in *Africa* or *America*, south of that Island, put into Porto Praya harbour for refreshments. The sale of these, however, is monopolised, it is asserted, by the principal Persons of the Island. The rearers of stock do not, therefore, dispose of it to the best advantage, and have not in consequence, all the encouragement that they would have, if permitted to sell their stock directly to the Ships. This circumstance is to be regretted, as it checks, in some degree, the industry in a laudable employment of that class of People.

Some cotton cloths of their own manufacture, finely dyed by themselves, and handsomely worked with silk of various colours, which they obtain from European traders, are sold by the Inhabitants of the Islands, generally at a high price.

The *British Settlement* of *Bathurst* in the River *Gambia*, as it increases in prosperity, will, in time, be the means of checking the Slave-trade, so far, at least, as the influence of that prosperity may extend. The exports from that Settlement are now considerable and consist chiefly of wax, hides, ivory and gold.

To the southward of the *British Settlement* in the *Gambia*, are situated the *Portuguese Settlements* of *Bissao* and *Cacheo*.

The Papers of the "*Conde de Villa Flor*" have shewn that it is not a single chance trader, who engages at *Bissao* and *Cacheo* in the Traffic in Slaves, but that that Traffic is regularly and systematically carried on by the Governors and Subordinate Officers of those Places.

If we may credit reports that have prevailed from time to time, Vessels have sailed within this last Year from *Bissao* with Slaves directly to the *Brazils*. We see no reason to doubt the truth of such reports, well knowing the pertinacity with which the illegal Slave-traders adhere to their nefarious pursuits, and the great want of proper feeling on the part of the Persons in authority at *Bissao*, and *Cacheo*, in regard to the humane objects contemplated by the Convention with their Government.

In the Seventh Year after the conclusion of the Convention to prevent illicit Traffic in Slaves, it must be matter of great indignation, that a People owing obedience to the Laws of *Portugal* should pursue the Slave-trade in the very worst of its abominable ways.

It is the practice of the people at *Bissao*, it is confidently asserted, to send armed Boats, or Canoes, about the Coasts and Islands in their vicinity, to surprise their Inhabitants and to carry them off to supply the wants of their Slave Market. This practice is, no doubt, often resorted to where the Slave-trade is legally pursued,—but it may be thought that where the Trade is proscribed it would not be dared to be carried on by *Portuguese* Subjects.

In the course of the last Year some Boats from *Bissao*, it is said, landed at the mouth of the *Rio Nunez*; sacked some of the Villages there and carried off to *Bissao*, to be sold into Slavery, as many of their Inhabitants as they could take.

Besides the barbarity of this practice, its consequence is, that the Natives within the reach of such kidnapping expeditions, are rendered savage and untractable, so much so that they are always disposed to deal harshly with such Europeans as may fall into their hands. The Natives of one of the *Bisago Islands*, which lie about the mouth of the River on which *Bissao* is situated, possessed themselves of a Boat with its Crew belonging to the *Spanish* Schooner "*Joseph*," condemned in the Mixed Court in the year 1822, which had incautiously approached the Island to obtain information as to the proper course to be pursued by the "*Joseph*" in order to reach *Bissao*. The Boat's Crew were, with some difficulty, after suffering great hardships, ransomed through the interference of the Governor of *Bissao*. Although this interference was in the end successful, we should think that the Natives were more swayed by interest in liberating the Europeans of the "*Joseph*" who were in their possession, than by a friendly regard for the Governor of *Bissao*; the difficulty with which the ransom was effected shews this to have been the case.

It may be said by the *Portuguese* Authorities at *Bissao*, if they do not deny the fact, that it is not they nor those under their controul who pursue the system of kidnapping that has been mentioned, but that that system is pursued by the Natives near *Bissao*, over whom those Authorities have no power. Even should this be asserted, and the assertion be true, it is the demand for Slaves for exportation, which induces these independent Natives to pursue such a mode of supplying that demand. If the Authorities at *Bissao* did not themselves export Slaves, or allow them to be exported within the extent of their influence by others, these Natives would not have sufficient inducement to attack their neighbours for the purpose of enslaving them. We think that if the influence of the Authorities of *Bissao* and *Cacheo* were exerted to discountenance that Trade, as it is now exerted to encourage it,

the Trade would not be pursued on the Coast in the vicinity of these Places, as that Coast is described as being difficult of access from the intricacies and dangers of the navigation about it.

The Country about *Bissao* is said to be very fertile, and capable of producing most tropical fruits. A little wax and ivory is at times exported from *Bissao* by the Slave Ships, but we believe that Slaves form the chief article of export from thence.

Occasionally, about the months of May and June, a few Sloops come to Sierra Leone from *Bissao* laden with stock for this market, which is generally sold to advantage.

In the *Rio Nunez* there has not been any Slave Ship for a considerable time past. Formerly this River was frequented by Slave Ships from *The Havannah* and other Places. The Natives of the River are now beginning to turn their exclusive attention to another and better sort of commerce than that of Slaves, so as to make it worth the while of respectable mercantile people at *Sierra Leone* and at the *Isle de Los*, to enter into dealings with them.

Some time ago, even when some few Slave Ships entered the River for Slaves, small Vessels from the *Isle de Los* occasionally traded in the River for different articles, but their trade was subject to interruption, as the Natives attended more to supplying the demands of the Slave Ships.

Some Mercantile Establishments have recently been formed at the head of the River. We trust that these Establishments will eventually be productive of much benefit to their founders, and to the Natives with whom they would traffic. If the exportation of Slaves directly from the River should not again be resumed, benefit to both Parties must be produced.

It is said that some Slaves are sent in canoes from the *Rio Nunez* to *Bissao* to be sold there. We would not disbelieve this assertion; yet we would hope that this kind of traffic is very limited. Our hope on this point seems to be realized, by the fact that one of the old Slave Traders of the River, named *Bateman*, an Englishman we are sorry to say, is now in a state of poverty, although formerly a successful Slave Trader. This man, averse as he is represented to be to engage in any other traffic than the traffic in Slaves, would, since Slave Ships ceased to enter the *Rio Nunez*, have employed to advantage, it may be presumed, whatever capital he might have possessed at that time in the Slave Traffic betwixt that River and *Bissao*, if such a Traffic were extensive.

A Coffee Plantation is proposed to be established in the *Rio Nunez* by one of the *White* Traders of the River.

No Slave Ship has been in the *Rio Pongos* since the month of January, 1822, when the Spanish Schooner "*Rosalia*" was brought to *Sierra Leone* from thence.

*Francisco Freire*, the late Pilot of the "*Rosalia*," has left the



*Rio Pongos*; he only had the opportunity of leaving the River a few months since, in the American Schooner "*Dolphin*," mentioned in the last Report of the Commissioners. The "*Dolphin*," was bound for *The Havannah* and *Charleston*. It is said that *Freire* left with *John Ormond*, his friend in the *Rio Pongos*, the sixty Slaves (not having had an opportunity of disposing of them) that had been kept back from *Lieutenant Hagan*, when *Lieutenant Hagan* made the demand of *John Ormond*, of the whole of the Slaves that had been purchased for the Schooner "*Rosalie*." It is reported that *Freire* proposed, on his return to *The Havannah*, to pay himself the value of these sixty Slaves, as well as the value of the same number of Slaves that *John Ormond* delivered up to *Lieut. Hagan*, by attaching some property that *Ormond* possessed at *The Havannah*.

We trust that the Slave Trade will not be renewed in the *Rio Pongos*, but that River and the *Rio Nunez* require to be occasionally visited by the Cruizers, to shew to the Natives that a vigilant eye is kept over their Proceedings. These Rivers have not been visited by the Cruizers since the month of March, 1823, when some of the boats of His Majesty's Ship *Owen Glendower* went up their Streams, and searched them strictly, but did not find any Slave Ship.

We understand that most of the old Slave Traders of the *Rio Pongos*, are employed in the collection of the produce of the surrounding Country, to dispose of it to the British traders of the *Isles de Los*, or to those of this Colony.

In the last Report of the Commissioners, it was stated that *John Ormond* was unwilling to relinquish the hope of being again enabled to carry on the traffic in Slaves. He, however, has been obliged to follow the example of the other Traders in the River, and to turn his attention to a better traffic. The Schooner that was mentioned in the last Report of the Commissioners as having been built by *John Ormond*, or under his direction, in the *Rio Pongos*, was recently despatched by him to *Sierra Leone* with a cargo of rice, for the account of a Merchant of this Place. The Schooner, a few days after her arrival at *Sierra Leone*, was seized by the Collector of the Customs, for a breach of the British Navigation Laws, she not being British built nor owned by a British Subject. On the direction of the Colonial Government, the Schooner was released by the Collector. It was conceived, that to have applied the strictness of the Navigation Laws to this Vessel, would have materially checked the desire of *Ormond* in particular, and of the Natives in general, to engage in Commerce with this Colony.

Along the Coast from the *Rio Pongos* to *Sierra Leone*, the foreign Slave Trade has ceased. The Natives of this Coast are in constant intercourse with the Colony of *Sierra Leone*. This intercourse is highly beneficial to the Natives and to the Colony. The Natives bring hither supplies of rice, cattle, poultry, and vegetables, for the Colonial market;

they also bring some coffee, which is said to be of an excellent quality ; some ivory is also, at times, brought by them, which they procure from the interior. European goods are taken in return by these Traders. We wish we could add, that the visits of these Natives to *Sierra Leone* made a visible improvement in their moral condition ; but they are so wedded to their own particular customs that time only can effect a change in that condition, but that change, we are sure, must be sooner or later effected through the influence of the Colony of *Sierra Leone*.

Disturbances have lately existed in the tract of Country of which we have just made mention. These disturbances were caused chiefly by the jealousies of Chiefs of different districts. They have been, in some measure, removed by the friendly interference of the Colonial Government between the contending Parties.

We are happy to be enabled to say, that the trade of *Sierra Leone* has increased since the date of the last Report of the Commissioners. This increase we ascribe principally to the great influx of traders into the Colony, which has taken place within the last year, and to the demand for African timber within the same period.

The traders from the interior consisted of the Natives of *Foutah Jallon* and of the Natives of more distant Countries.

The Natives of *Foutah Jallon*, or *Foulahs* as they are termed, brought hither great numbers of large and small cattle with a considerable quantity of gold ; considerable, we mean, in comparison with the quantity brought to the Colony in former Years. The Natives of Countries more distant than *Foutah Jallon* brought mostly gold. It was a singular circumstance that the influx of Native traders into the Colony, was greatest in the months of August and September, when the rains yet fell in the tract of Country around *Sierra Leone*, and at *Sierra Leone*, with considerable violence. This circumstance shews the eagerness with which the Natives were possessed to exchange their articles of commerce for the European goods to be found at *Sierra Leone*, and shews that energy is not wanting amongst the Natives to make them engage in a commerce of a different nature from the commerce in Slaves. The rainy Season in the tropical parts of *Africa* is so inclement, that it is a matter of surprise that these people should expose themselves to it, in a journey of several hundreds of miles for the sake of what a European would consider trifling gain.

It is not possible to estimate the quantity of cattle that was brought into the Colony by the *Foulahs*, but that quantity must have been very great ; so great, indeed, that although the daily consumption of meat by the Colonists is, at all times, considerable, it was apprehended that the traders would overstock the market, and that they would not obtain a price for their cattle sufficient to remunerate them for their trouble and expense of bringing them hither. We understand, however, that in general these traders in cattle were very well satisfied with their journey to *Sierra Leone*.

The traders in gold were eagerly sought after by the Merchants of the Colony, who treated them liberally in every respect, even to maintaining them on their own premises to their personal inconvenience. These traders must have been very well satisfied with their expedition to this Colony, and it is to be expected that the favourable reports of this Colony which they will be likely to spread in the interior Countries, will induce the visits of other and more distant traders.

By far the greater part of these Traders came to *Sierra Leone* from the interior by the way of *Port Logo*, a small Native Town, situated at the head of one of the principal branches of the *Sierra Leone River*, about fifty miles from *Freetown*.

Formerly the greater part of the traders from the interior came to this Colony by the way of the *Scarcies River*, which enters the Sea at about twenty miles to the north of the River *Sierra Leone*.

The way to *Sierra Leone* from *Foutah Jallon* by *Port Logo* is more direct than by that of the *Scarcies*, and preferable, it would seem, in every respect, as the *Foulahs* prefer to take it, when they are free to travel by it without being vexatiously interrupted by the Natives of the Chieftainships which intervene betwixt *Port Logo* and *Foutah Jallon*.

The way, or path as it is more emphatically termed, of *Port Logo* was quite open last year to the *Foulah* traders, and to the Natives of the Countries beyond them.

In the Report of the Commissioners of the 5th of January, and 16th of April, 1821, it was mentioned that the Colonial Government had sent a Mission under the charge of *Mr. O'Beirne*, of the Medical Staff, to the King of *Foutah Jallon*, at his residence at *Teembo*, with the view to open a direct intercourse with the *Foulahs* by *Port Logo*. That Mission, it was said, succeeded in its object, and *Mr. O'Beirne* brought with him, on his return to *Sierra Leone*, a number of *Foulah* traders accompanied by a Nephew of the King of *Foutah Jallon* who was sent as a sort of Envoy by the King to the Governor of *Sierra Leone*.

Since the period of the return of the Envoy to his Country, in 1821, to the months of May or June, 1823, very little intercourse was kept up betwixt *Foutah Jallon* and *Sierra Leone* by the *Port Logo* path. Among the *Foulahs*, civil commotions arose in that period. The King who had received the Mission was deposed by his subjects, and another was appointed to govern in his stead. We believe, also, that obstacles were thrown in the way of the march of the *Foulah* traders to *Port Logo*, by Chiefs who were interested in their proceeding to *Sierra Leone* by the old path of the *Scarcies*.

Some time in the course of last year, the deposed King of the *Foulahs* was reinstated in his authority, by his former subjects, who preferred his milder virtues to the arbitrary disposition of the Person whom they had recently elevated to power; and the commotions of the Country subsided.

The *Foulah* traders who were brought to *Sierra Leone* by *Mr. O'Beirne*, spread, it is understood, on their return to *Foutah Jallon* the most favourable reports of *Sierra Leone*, its inhabitants and its wealth.

These reports were circulated in *Foutah Jallon*, and in the surrounding Countries, and contributed, with the favourable impressions of *Sierra Leone*, which the King had received from the Mission under *Mr. O'Beirne*, to the great influx of traders into the Colony within the last year.

The obstacles that had been thrown in the way of the *Foulah* traders on the *Port Logo* path by the jealousies of some Chiefs were, in some measure, removed, and the *Foulah* traders and their neighbours were free to come to *Sierra Leone*, as they did, by that path.

The services rendered to the Merchants of the Colony by the effects of *Mr. O'Beirne's* Mission have recently been handsomely acknowledged by them.

At the close of the past year, a Messenger arrived at *Sierra Leone* from the King of *Foutah Jallon*, bringing a Letter from the King to the Governor of *Sierra Leone*, expressive of the King's friendly regard for the Colony, and of his wish that the Governor would send to him some munitions and other articles. A friendly answer was returned to this letter by the Colonial Government, and a present, conformable to his wish, was sent to the King.

It is to be hoped that this recent advantageous intercourse of the Colony with the *Foulahs*, and their neighbours will tend to the prosperity of *Sierra Leone*. We confess that we think that to commerce only with the neighbouring African Nations, and with the Nations more distantly situated, must the Colony look for the means of acquiring wealth for some years to come. Agriculture does not afford within the limits of the Colony any article which may be given for exportation to the merchant in exchange for his European commodities.

The timber trade has lately given much employment to many of the Natives of the *Port Logo* River, about which river the timber is mostly cut, and of the Country adjacent thereto, who, during the latter part of the year 1821, and during the year 1822, had been languishing in poverty for want of sufficient employment in that trade.

The quantity of timber exported from *Sierra Leone*, from the 1st of May, 1823, to the 1st of May, 1824, was 9646 logs. Only 1975 logs were exported from *Sierra Leone* between the 1st of May, 1822, and the 1st of May, 1823.

The Chiefs or Headmen, of the *Port Logo* River on the arrival of the first Timber-ships, in the months of April and May, 1823, availed themselves of the sudden demand for timber at that time, to make exactions upon the European timber-merchants, and to raise the price of the timber. This was done in a manner that made the merchants suffer at that time, but they have since then, with some variation in the price, been regularly supplied with timber.



There are now several European Timber Establishments, on different Islands up the river, between twenty and thirty miles distance from *Freetown*. Most of these Establishments employ a considerable number of Black Persons, Natives of the river, and *Kroomen*, (Africans whose Country is situated on the Western Coast about the fifth degree of latitude,) in the different labours attendant on the trade, such as squaring the timber and putting it in a shape proper to be shipped, rafting the timber to the timber-ships, and working in boats and canoes. On board of the timber-ships, employment is also found for many Natives and *Kroomen*, but *Kroomen* are mostly employed to assist the Sailors in the labour of taking in the timber.

The Timber Establishments hire their labourers at the rate of from four to five dollars per month. This rate of pay is sufficient to diffuse comfort and happiness amongst the labourers and their families; and happiness, according to their own manners, appears to be diffused amongst them.

The Natives generally unite in parties to fell the timber, to prepare it and to raft it down for sale to the different Establishments. Sometimes a dozen Natives will unite themselves for these purposes. At other times a Chief, or Headman, will direct as many dependants and domestic Slaves as he may have to fell timber. Of the timber felled in this manner, a part is reserved for the Dependants and Slaves, and sold for their benefit; the most considerable part, of course, is reserved for the Chief. Single families, residing near the water-side, will employ themselves in felling timber. Often Natives who reside at some distance from the river come to the river-side; obtain permission of its Chiefs, for which permission they pay a trifling sum, and engage in large parties in the business of cutting timber.

The innumerable Creeks of the River afford great facilities for this trade. The trouble of transporting the timber from the place where it is felled to the main stream of the River, is comparatively but little.

When timber is in demand, many Villages are to be seen on the main stream of the *Port Logo* River, and it is said that many of the Creeks, which, but for the trade, would be left to their native solitude, have habitations of industrious wood-cutters scattered on their banks.

The timber-trade is the only trade which can at present give sufficient employment to the Natives of the upper part of the River; it is of the utmost consequence, therefore, that every possible encouragement should be given to the trade that, by the pursuit of it, the Natives may have effaced from their minds every remembrance of the Slave Trade.

In the last Report of the Commissioners it was respectfully stated that the best means of encouraging the trade, would be by employing the timber, or a certain quantity of it, in the construction of Ships, in His Majesty's Dock-yards, for which service it was particularly adapted:

and that it was naturally supposed that if the timber should once be known to be employed and approved in that service, it would grow into general estimation, and be introduced into general use.

We may be permitted to add to this, that the timber is admirably fit, from its durable qualities, to be employed in the construction of Public Edifices.

The Timber-merchants are very desirous to be secured from a return of vexatious interruptions in their trade, on the part of the Natives, and to be secured in the possession of the lands on which their Establishments are founded. These lands are held by them from the Natives, at a yearly rent. Considerable sums of money have been laid out on the Timber Establishments, such sums as have made them valuable and worthy of being placed beyond the caprice of the Natives. The Merchants would wish that the Colonial Government should, by Treaty, obtain the sovereignty of the lands which they occupy, and establish a Station at *Port Logo*, which should serve to protect the interests of their trade.

On the other branch of the *Sierra Leone* River, the *Rokelle* branch, as it is called, very little timber is cut. Some cam-wood and ivory is brought from the interior down this branch of the river to *Sierra Leone*.

It was reported some time since that a path had been opened from *Rokon*, a Native Town on the *Rokelle*, to the *Gallinas* River, for the passage of Slaves from the adjacent Country to the *Gallinas*. We do not disbelieve this report, but we would be inclined to hope that by the revival of the timber trade, and the encouragement that has been given to the gold and other trade of the interior, fewer inducements are now held out to the Natives about this river to engage in the traffic in Slaves with the *Gallinas* Slave-dealers.

The *Gallinas* River is the only notorious haunt of Slave-ships betwixt *Sierra Leone* and *Cape Coast*. It will be in vain to expect that this haunt shall be destroyed so long as a *French* character shall protect a Slave-Ship from molestation. We have been constantly given to understand that *French* vessels, or vessels well protected by a *French* mask, are almost the only vessels which frequent this place. It is said that two or three vessels under the *French* Flag are constantly to be seen at the *Gallinas*. The British Cruizers do, when passing by the *Gallinas*, visit vessels which shew a *French* Flag, but the papers which are produced by the People of such Vessels are generally of a kind to induce the Cruizers not to molest them.

We understand that a *French* Frigate named the ——— has recently been cruising off the *Gallinas*, and that she has made prize of one or two Slave Vessels. It is said that the Commander of the *French* Frigate remonstrated with the Commander of His Majesty's Ship *Driver*, that lately visited the *Gallinas*, upon his having searched some Vessels under the *French* Flag

Some months since, a Slave Schooner, under the *Spanish Flag*, was accidentally blown up, near the *Gallinas*, while a party of Native Slave Traders was in the act of negotiating on board with the European Slave Dealers, for the goods for which Slaves were to be exchanged. The Slave Traders, Native and Foreign, were destroyed with the Vessel.

A few days ago, a Schooner named the *Saint George*, John Minshull Griffith, Master, belonging to a *British Subject*, arrived hither from Leeward with a cargo of rice. The Master has given us some information of Slave Ships seen or heard of by himself in the course of recent trading voyages, betwixt the *Gallinas* and *Cape Palmas*. He said that on the 8th of February last, he saw one Brig and four Schooners at anchor off the *Gallinas*, and two Schooners under weigh, all bearing the *French Flag*. On the night of the 8th of February, being off *Cape Mount*, he was desired to heave to, by a Schooner, or his vessel would be fired into: *Mr. Griffith* accordingly hove too, but was not further molested. On the 12th of March, he was informed by some of the Natives, that two Schooners under the *French Flag*, in quest of Slaves, stood off the Coast, on perceiving the *Saint George*. On the 20th of March, *Mr. Griffith* observed a Schooner standing off and on, which he considered to be a Slave Trader. On the 2nd of April, he saw a Schooner which he was informed was trafficking in Slaves, and had a few Slaves on board, taken at *Piccaniny Sesters*; on the same day, also, *Mr. Griffith* was informed by the Natives of *Grand Sesters*, that a Brig and a Schooner under the *Spanish Flag*, had been three or four days at anchor, off *Piccaniny Sesters*, purchasing rice for their Slaves.

The Master of the *Saint George* also related to us the particulars of his meeting with a *French Brig of War* on the 17th of February last; he said that he was proceeding in the Schooner, with a number of Black Persons on board, some of them forming part of his Crew, others being labourers to assist the Crew, to a place a little to the Eastward of *Cape Palmas* to fulfil some object of a trading voyage. Being off *Garraway*, Latitude 4° 40" North, he saw a Brig at a distance. The Schooner pursued her course; the Brig made sail after her, and when near, the Brig hoisted *French Colours*; the *Saint George* upon this hoisted the *English Flag*, but still kept on her course, the Master being anxious to arrive at the place of his destination before it grew dark, it being then late in the day, and the navigation about *Cape Palmas*, which the vessels were approaching, being dangerous. The Brig finding that the Schooner still made sail from her, and being come within distance, fired a shot at the *Saint George*, although she had her *English colours* displayed. The *Saint George*, notwithstanding, continued to keep on her course, until her Master perceiving that the Brig was about to fire another shot at his vessel, stopped her

way, and waited until the Brig came up. The Master informed us, that he was hailed from the Brig, and asked what the Schooner was, and whence she came, that he was ordered to lower his boat, and *come on board of the Brig*; but this the Master told them that he could not do, as he had no boat to convey him thither, they then told him to come in a Canoe which the Schooner possessed; but the Master informed them that he could not trust himself in it, as squally weather seemed to be coming on; with this reply, the *French* seemed to be satisfied. They did not choose to *go on board of the Schooner and visit her*, but they asked her Master many questions from their own deck. Observing the number of Black Persons that were on the deck of the Schooner, they said that the Schooner was going to carry off from the Coast a Cargo of Slaves; they desired the Master to count the number of Black Persons that were on board of the Schooner; the Master did so, but they did not seem to be satisfied with his reckoning; he was told he must certainly have more people in the hold, which the Master says was not the case; they were very particular in obtaining the name of the Master; they even required him to spell his name several times, until they were perfectly satisfied they could write it properly. The Master understood this Brig to be the *French* Brig of war the *Dragon*, and he supposed that she was cruizing on the Coast.

We have only detailed these facts, as they were related to us by the Master of the *Saint George*, to shew that the mere hoisting of a Flag, is not in all cases sufficient to satisfy a French Officer of the character of a vessel; were it otherwise, the Schooner would not have been fired at, and obliged to conform to the pleasure of those of the Brig.

Some intercourse is kept up betwixt *Sierra Leone*, by means of its small craft, and the neighbourhood of the *Gallinas*, but the People about the latter Place, are so much engaged with the Traffic in Slaves, that this intercourse is not so great nor so advantageous as it would be, if that Traffic were discontinued.

The *American* Settlement at *Cape Mesurado*, to the Southward of the *Gallinas*, is, we understand, in rather a languishing state; but it is to be hoped that it will yet prosper and be, what *Sierra Leone* now is, a noble monument of the beneficence of the People by whom it was founded.

Some miles to the Southward of the *American* Settlement, is the small Establishment of *Captain Spence*, the enterprising individual mentioned in the Report of the 29th of April, 1823. *Captain Spence* is the Owner of the Schooner *Saint George*, of which we have made mention; we have reason to believe that his Establishment prospers, and that it operates beneficially upon the Natives with whom it is immediately in connexion. We have been informed that the quantity of ivory and of palm oil obtained at the Settlement, in traffic with the



Natives was much increased in the year 1823. *Captain Spence* expects this year a greater increase of these articles.

We have only occasionally, since the last Report of the Commissioners, received some slight information of the state of the Slave Trade betwixt *Cape Coast* and the *Equator*: we have been given to understand that during the greater part of the last year very little Slave Trade was carried on at the usual Slave haunts in the Bights of *Benin* and *Biafra*.

From the date of the Report of the 29th of April, 1823, to the present period, only seven Slave Vessels have been taken in those Bights. But we are disposed to infer that the Slave Trade would have been carried on to a greater extent than it is said to have been, if the disturbances in the *Brazils*, but more particularly at *Bahia*, had not prevented the *Brazilians* from actively engaging in it. After the surrender of *Bahia* to the *Brazilian* Forces, and the restoration of tranquillity there, it would appear, from information that we have received, that Slave Ships again made their appearance in the Bight of *Benin*. In the Bight of *Biafra*, we have not heard that any Slave Ship has lately been seen. None were seen, as we have been informed, by His Majesty's Ship, *Bann*, which lately visited that Bight.

The state of affairs on the *Gold Coast* has, within this last year, taken up much of the attention of the Cruizers, and has not left them much time to search for Slave Ships. This fact, as well as that of the disturbances in the *Brazils*, may account in some degree, for the circumstance of so few Slave Ships being taken, since the date of the last Report of the Commissioners.

His Majesty's Ship *Owen Glendower*, on leaving *Sierra Leone*, at the end of the month of March 1823, proceeded to *Cape Coast*, and afterwards made a cruise down the Coast as far as *Molembo*, which is situated to the South of the *Equator*. She did not take any Slave Vessel in that cruise. If we were rightly informed, she did not see any Slave Vessel until she came to *Molembo*; where she found a *Portuguese* trader, engaged in the legal traffic in Slaves, and a *Spanish* Schooner that was just leaving the Coast laden with Slaves and ivory. To this Schooner the boats of the *Owen Glendower*, which had been despatched from her, gave chase, but the Schooner escaped from them. The *Owen Glendower* afterwards returned to *Cape Coast*, and remained there a considerable time; she took, by means of her boats, the *Spanish* Schooner "*Maria la Luz*," in the *New Calabar* River; the "*Conchita*" in the *Old Calabar* River; and the "*Fabiana*" in the *Bonny* River. The *Owen Glendower* came to *Sierra Leone* in the month of December last, and returned to the *Gold Coast* soon after.

His Majesty's Ship "*Driver*" left *Sierra Leone* about the same time as the *Owen Glendower* in 1823; she proceeded to the *Island of Ascension*, and afterwards to *Cape Coast*, where she remained for the

protection of the Castle. She was afterwards obliged to proceed to *Rio de Janeiro* to repair some damage which she had sustained. She returned to *Sierra Leone* in the month of March last, and is again gone down to *Cape Coast* to assist in the defence made there against the *Ashantees*.

His Majesty's Ship *Bann* also left *Sierra Leone* in the month of March, 1823, and proceeded to the *Island of Ascension*; she was, soon after her arrival at that Island, driven out of the African seas by a severe sickness which spread itself amongst her Crew, and caused considerable mortality amongst them. She was obliged to proceed to the *Brazils*, from whence she returned to *Cape Coast* in the month of September. At *Cape Coast* she remained a considerable time to assist in the defence of the Castle. At the close of January last she cruized in the Bights of *Benin* and *Biafra*. Off the *River Lagos*, in the Bight of *Benin*, she took three *Brazilian* Slave Vessels, the "*Minerva*," the "*Cerqueira*," and the "*Creola*;" and afterwards, near the Island of *Saint Thomas*, she took the *Brazilian* brig "*Bom Caminho*."

His Majesty's Ship *Cyrene* proceeded from hence to *Cape Coast* in March, 1823, for the purpose of bringing the late Governor *Sir Charles M'Carthy* to *Sierra Leone*. She returned hither with *Sir Charles M'Carthy* in July; proceeded afterwards to the *Cape de Verd Islands*, and came back to *Sierra Leone* in September. From *Sierra Leone* the *Cyrene* proceeded to *Cape Coast*, and from thence to *England*. We did not hear that the *Cyrene* met with any Slave Ship in her passages to and from the different Places which we have mentioned.

We have not heard that His Majesty's Ships *Victor* and *Swinger* have taken any Slave Ship since their late arrival on the Coast.

We have not, since the date of the Report of the 29th of April, 1823, had proof that the Slave Trade has been carried on betwixt *Princes Island* and the *African Rivers* in its neighbourhood; but we have been informed that the Trade is still kept up by small boats belonging to *Princes Island*. It will be as difficult to put a stop to this Traffic betwixt those two Places, as it will be to stop the trade that is carried on in Slaves betwixt *Bissao* and the *Cape de Verd Islands*. The effectual remedy for the evil in both Places will only be produced by a change of sentiment in regard to the trade on the part of the Governors of those Places.

We are not enabled to give any particular information of the state of the legitimate commerce on the *Gold Coast*, but we apprehend that it cannot have been promising of late on account of the *Ashantee* war which prevails there. The *Ashantees* have stopped the direct trade with the interior Country. Below the *Gold Coast* we hope that legitimate commerce improved during the past year in proportion as the Slave Trade declined in that period.

From the foregoing Statements it will appear that, since the date

of the last Report of the Commissioners, the Slave Trade has only existed at the *Cape de Verd Islands*, and at *Bissao* and *Cacheo*, to the *Northward* of *Sierra Leone*. That betwixt *Sierra Leone* and *Cape Coast*, the Trade has only been carried on at the *Gallinas*, and at some places in its vicinity. And that to the *Southward* of *Cape Coast* a decrease of the Trade has occurred.

The recent addition to the Slave Trade Restriction Treaty with *The Netherlands*, declaring the condemnation of Ships if fitted out for the Slave Trade, must be beneficial to the cause of the abolition of that Trade. When the same addition shall be made to the Treaties with *Spain* and *Portugal*, we shall hope to see the *Spanish* and *Portuguese* Slave Traders swept from the Coast, but not till then.

We have the honour to be, &c.

E. GREGORY.

D. M. HAMILTON.

P. S. May 28th, 1824. We have been informed by a Person who is established in trade at the *Isles de Los*, that when he was in the *Rio Nunez* a short time since, he was positively informed that two Vessels were, in the month of January last, at *Bissao* waiting for a Cargo of Slaves. We have been also informed by the same person, that parties of Negroes from *Bissao* have lately actually been in the *Rio Nunez* to carry off such of its Natives as they could seize. A pretence is set up that these kidnapping excursions are made in retaliation for injuries received; but we are persuaded, as is also our informant, that they would not take place if Slaves ceased to be exported from *Bissao*.

E. G.

*The Right Hon. George Canning.*

D. M. H.

No. 4.—*E. Gregory, Esq. to Mr. Secy. Canning.—(Rec. Oct. 2.)*  
SIR,

*Sierra Leone, August 4, 1824.*

MR. HAMILTON and myself had the honour to receive, on the 19th of June, your Despatch of the 8th April, 1824, acquainting us, in reference to the subject of our Despatch of the 5th of January last, that it appeared to be expedient that we should, in the absence of *Spanish Commissioners*, pay into the Military Chest the Spanish moiety of the nett *Proceeds* of the *Sales of Prizes*, and that we should continue to pay into the same Chest the *British* moiety of the net *Proceeds* of the *Sales of Prizes*.

We shall, Sir, conform to these instructions, as well as to the instructions that you are pleased to give us at the same time, that we should send the Accounts of the Sales of Prizes in duplicate to His Majesty's Secretary of State for Foreign Affairs.

I have the honour to be, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 5.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 2.)

SIR,

*Sierra Leone, August 4, 1824.*

MR. HAMILTON and myself were honoured, on the 1st ultimo, with your Despatch, acquainting us that *Mr. W. P. Worrall, Mr. S. M. Magnus, and Mr. Samuel Bidwell*, had been selected by you, Sir, for the situation of Clerks under the Commission, the two first Gentlemen, to assist His Majesty's Commissioners in the despatch of their Correspondence with His Majesty's Secretary of State for Foreign Affairs, the third Gentleman to take the place of *Mr. Hodder*, in the Registry Office of the Mixed Commissions.

The Instructions which you have been pleased to give us in regard to these Gentlemen will be obeyed.

Mr. Hamilton and myself beg leave, Sir, to express to you our grateful sense of your attention in this instance: and we trust, Sir, that the particular part of our duty in which these Gentlemen are to render their assistance, will be executed with as much satisfaction to yourself as it will be with pleasure to us.

I have the honour to be, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 6.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 2.)

SIR,

*Sierra Leone, August 4, 1824.*

MR. HAMILTON and myself had the honour to receive, on the 1st ultimo, your Despatch, of the 7th of May, 1824, furnishing us, for our information, with the Copy of an Instruction which had been given to *Mr. I. P. Clarke* on proceeding to his post, as His Majesty's Consul-General at the *Cape de Verd Isles*, directing him to collect and transmit to His Majesty's Secretary of State for Foreign Affairs, to the Commanders of His Majesty's Ships upon the Coast, and to His Majesty's Commissioners, whatever intelligence he might be able to procure for facilitating the execution of the Treaties and Acts of Parliament, and of His Majesty's Instructions thereupon, respecting the Slave Trade.

I have the honour to be, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 7.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Nov. 11.)

SIR,

*Sierra Leone, August 31, 1824.*

HIS Majesty's Commissioners had the honour to receive, on the 19th inst. your Despatch, of the 7th of May, 1824, furnishing them for their information, with the Copy of a Letter addressed, under your directions, by *Mr. Planta* to the Secretary to the Admiralty, recommending the adoption of the suggestion which the Commissioners had made, that His Majesty's *Naval Officers* might be specially instructed upon points, having for their object the obtaining of evidence as to the *number*



of Slaves who may be on board of Slave-trading Vessels at the time of their detention.

His Majesty's Commissioners had also the honour to receive, at the same time, your Despatch of the 9th of June, 1824, enclosing a Copy of the Answer of the Secretary to the Admiralty, to Mr. Planta's Letter to him of the 7th of May.

Mr. Hamilton and myself beg leave, Sir, respectfully to express to you our acknowledgments for these Communications, and I have the honour to remain, &c.

E. GREGORY.

*The Right Hon. George Canning.*

No. 8.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Nov. 11.)  
(Extract.) *Sierra Leone, August 31, 1824.*

His Majesty's Commissioners had the honour to receive, on the 19th instant, your Despatch, of the 19th of June, 1824, with Copies of Papers marked A. and B., relative to the Slave Trade, which had been presented to both Houses of Parliament by His Majesty's Command, in the course of this year's Session.

*The Right Hon. George Canning.*

E. GREGORY.

No. 9.—*Mr. Secy. Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, Nov. 20, 1824.*

I SEND to you, for your information and guidance, 3 Copies of the Act passed in the last Session of the Parliament of the United Kingdom, (Cap. 113.) for amending and consolidating the Laws of this Country, relating to the Abolition of the Slave Trade; and, for your further information and guidance, in respect to the 75th Clause of that Act, I send to you the Copies of a Correspondence which has passed between this Office and His Majesty's Treasury, upon the subject of the enactment therein contained for the transmission of certain *Lists* and *Returns* to His Majesty's Treasury.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

(Enclosure 1.)—*George Harrison, Esq. to Joseph Planta, Jun. Esq.*  
SIR, *Treasury Chambers, July 1, 1824.*

THE Lords Commissioners of His Majesty's Treasury having had under their consideration the Act recently passed for amending and consolidating the Laws relating to the abolition of the Slave Trade, I have it in command to acquaint you, that they have directed Copies thereof to be transmitted to the Judges and Registrars of the respective Vice-Admiralty Courts abroad, for their information and guidance; and I am at the same time to request that you will submit to the consideration of Mr. Secretary Canning, whether he would not deem it expedient to direct that Copies of the said Act should also be trans-

mitted to the Commissary Judges, Commissioners of Arbitration, and Secretaries or Registrars of the several Mixed Commission Courts abroad, for their information and guidance, respectively.

I am, &c.

Joseph Planta, Jun. Esq

GEO. HARRISON.

(Enclosure 2.)—Joseph Planta, Jun. Esq. to the Secy. to the Treasury.

SIR,

Foreign Office, October 22, 1824.

HAVING laid before Mr. Secretary Canning your Letter of the 1st of July last, I am directed by Mr. Canning to acquaint you, that, concurring in the recommendation of the Lords of His Majesty's Treasury, he has directed that Copies of the Act for consolidating the Laws respecting the Abolition of the Slave Trade, should be transmitted to His Majesty's Commissioners in the several Mixed Commissions abroad, instituted under the Treaties with Foreign Powers, upon this subject.

Mr. Canning, however, previously to the transmission of this Document, directs me to state to you, that he observes, in the 75th Clause of the Act, that the Commissary Judges and Commissioners of Arbitration are to transmit, from time to time, to the Lords of His Majesty's Treasury, a *List or Return* of all *Cases* which shall have been *adjudged* in their Courts, together with the Names of the Seizors, the Dates of the Seizures and Sentences, and an Account of the state of the Property.

On this point, Mr. Canning directs me to request you to call the attention of their Lordships to that part of my Letter to you, of the 17th of November, 1823, suggesting that the information upon these Cases which their Lordships should wish to possess, should be transmitted through the Department of His Majesty's Secretary of State for Foreign Affairs, with whom alone the Commissioners had been directed to correspond on the subject of their official duties.

I am also to refer you to the Letter marked No. 24, (Class B.) in the Slave Trade Papers laid before Parliament in the course of the last Session, containing an Instruction to the Commissioners to send the *Accounts of Sales*, in duplicate, to His Majesty's Secretary of State for Foreign Affairs, who would transmit to His Majesty's Treasury such Papers as it might be necessary to furnish to that Department upon the subject.

As it is understood, that the Act of Parliament referred to was drawn up on communication with His Majesty's Treasury,—Mr. Canning desires me to request that their Lordships will be pleased to acquaint him, whether the Clause in question was meant to convey an Instruction to the Commissioners to send *direct* to His Majesty's Treasury the information there detailed, or whether the purport of the Clause would not be answered, and the objects of His Majesty's Treasury accomplished,

by their Lordships receiving, through this Office, such Accounts and Statements as they shall desire, upon points connected with the Official duties of the Commissioners; it being very essential to the convenience of public business, that the Commissioners should keep to the Instruction which they have already received, "to address to this Department *alone* all Despatches reporting their proceedings, or requesting Instructions;"—which Instructions should, according to the same principle, be conveyed to them only through the Foreign Department.

I am, &c.

JOSEPH PLANTA, JUN.

*The Secretary to His Majesty's Treasury.*

(Enclosure 3.)—George Harrison, Esq. to Joseph Planta, Jun. Esq.

SIR,

*Treasury Chambers, November 15, 1824.*

HAVING laid before the Lords Commissioners of His Majesty's Treasury your Letter of the 22d ultimo, relative to the 75th Section of the Act, 5th Geo. IV. Cap. 113, directing that the Commissary Judges and Commissioners of Arbitration, under the Acts respecting the Abolition of the Slave Trade, are to transmit from time to time to this Board, a *List* or Return of all Cases which shall have been *adjudged* in their respective Courts; I have it in command to acquaint you, for the information of Mr. Secretary Canning, that their Lordships concur in opinion with him, that it will be expedient that all Communications between the Members of the Mixed Commission Courts, and the Government of this Country, should be made through the Secretary of State; and their Lordships therefore request Mr. Canning will instruct them to transmit to him the Accounts required by the 75th Section of the Act above referred to, in order that he may forward them to this Board; My Lords being of opinion that the Accounts in question should be sent home by the Commissioners, at the periods prescribed by the Act of Parliament,

I am, &c.

*Joseph Planta, Jun. Esq.*

GEO. HARRISON.

(Enclosure 4.)—Joseph Planta, Jun. Esq. to the Secy. to the Treasury.

SIR,

*Foreign Office, November 20, 1824.*

I HAVE received and laid before Mr. Secretary Canning, your Letter of the 15th instant, relating to the 75th Section of the Act of the 5th George IV. Cap. 113; and I am directed by Mr. Canning to acquaint you, for the information of the Lords Commissioners of His Majesty's Treasury, that he has instructed His Majesty's Commissioners under the Treaties for the Suppression of illegal Slave Trade, to the effect recommended in your Letter above referred to.

I am, &c.

JOSEPH PLANTA, JUN.

*The Secretary to His Majesty's Treasury.*

No. 10.—*His Majesty's Commissioners to Mr. Secretary Canning.*  
(Received March 7.)

(Extract.)

*Sierra Leone, December 30, 1824.*

WE beg leave to acknowledge the receipt, on the 26th instant, of your Despatch dated November 20th, 1824; enclosing three Copies of an Act passed in the last Session of the Parliament of the United Kingdom, for amending and consolidating the English Laws, relating to the abolition of the Slave Trade; enclosing also, for our further information and guidance, in respect to the 75th Clause of that Act, the Copies of a Correspondence which had passed between the Office for Foreign Affairs and His Majesty's Treasury.

We shall not fail to pay due attention to the Clauses of the Act of Parliament, which you have done us the honour to send to us, that may relate to our Situations, bearing in mind that we are to address our Correspondence to the Department alone over which you, Sir, preside.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 11.—*D. M. Hamilton, Esq. to Mr. Secretary Canning.*  
(Received March 7.)

(Extract.)

*Freetown, Sierra Leone, January 15, 1825.*

WITH extreme regret I perform the melancholy duty of communicating to you the death of my Colleague, *Mr. Gregory*, His Majesty's Commissary Judge. This most unhappy event took place on Sunday evening last, after his having suffered a protracted illness during the last five weeks, from the endemic fever of this Country; which unfortunately has generally assumed, with those it has attacked, more than usual severity during the last three months.—His Majesty has been deprived, by the death of this gentleman, of a valuable Officer, whose study and attention was solely directed to a faithful and impartial discharge of the official duties of the important station to which he was appointed.

In consequence of the death of *Mr. Gregory*, I have, in the capacity of Governor and Principal Magistrate of the Colony, assumed the Office of Commissary Judge, *ad interim*.

I can assure you, Sir, that it causes me much regret, that under the present unfortunate circumstances, I am not able to withdraw my request for leave of absence which I made to you under date of the 1st of November last. I have only about 14 days since become convalescent from another very dangerous attack of the endemic fever of this Country. These frequent attacks have left me no other chance of recovery, than a change of climate for some months.

*The Right Hon. George Canning.*

D. M. HAMILTON.



No. 12.—*Mr. Secretary Canning to Daniel Molloy Hamilton, Esq.*  
 SIR, *Foreign Office, April 4, 1825.*

THE Despatches of His Majesty's Commissioners at Sierra Leone, marked and numbered as in the margin of this Despatch, have been duly received and laid before the King.

I have to express to you His Majesty's approbation of the zeal and diligence, with which the Commissioners have executed the duties committed to their charge, since the date of those Despatches, the receipt of which I acknowledged in my Despatch to them, of the 6th of April 1824.

I am, &c.

*Daniel Molloy Hamilton, Esq.*

GEORGE CANNING.

No. 13.—*Mr. Secretary Canning to D. M. Hamilton, Esq.*  
 (Extract.) *Foreign Office, April 5, 1825.*

I HAVE received your Despatch (marked General) of the 15th of January, 1825.

I regret to learn the death of *Mr. Edward Gregory*, His Majesty's Commissary Judge at Sierra Leone.

The public service has lost in *Mr. Gregory*, an Officer whose conduct was marked by an earnest and unremitting desire to do his duty.

His Majesty's Government will lose no time in the selection of an Individual to fill the situation vacant by the death of *Mr. Gregory*.

*D. M. Hamilton, Esq.*

GEORGE CANNING.

## SIERRA LEONE. (*Separate.*)

No. 14.—*D. M. Hamilton, Esq. to Joseph Planta, Jun. Esq.*  
 (*Received June 21.*)

SIR, *Sierra Leone, March 1, 1824.*

I HAVE the honour to acknowledge the receipt of your Letter of the 18th of October last, acquainting me, that *Mr. Secretary Canning* had determined to recommend to His Majesty, my confirmation in the Office of His Majesty's Commissioner of Arbitration in the Mixed Commission Courts at this Place, vacant by the death of *Mr. Fitzgerald*: for this intention of *Mr. Secretary Canning* towards me, I beg most respectfully to request of you the favour, to return him my most grateful acknowledgments.

I have the honour to be, &c.

*Joseph Planta, Jun., Esq.*

D. M. HAMILTON.

No. 15.—*His Majesty's Commissioners to Mr. Secretary Canning.*  
(Received June 20.)

SIR,

*Sierra Leone, March 22, 1824.*

WE beg leave to inform you, that we yesterday received your Circular Despatch of the 31st of January last, reminding us, by His Majesty's Command, that in the computation of the period of Service, after which a *Pension* may be granted to us, that period only can reckon during which we are upon service at our post; and stating further, that one half only of the *Salary* attached to our present situation, can be granted to us during the period at which we may be absent from our post.

We beg leave, Sir, respectfully to offer our thanks for this communication, and we have the honour to remain, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 16.—*Edw. Gregory Esq. to Mr. Secy. Canning.*—(Rec. June 21.)  
SIR,

*Sierra Leone, April 12, 1824.*

I HAD the honour to receive yesterday your Despatch (marked Separate) of the 6th of February 1824, in which you condescendingly inform me, that His Majesty had been graciously pleased to appoint *Daniel Molloy Hamilton, Esq.* to be His Majesty's Commissioner of Arbitration, and *James Woods, Esq.* to be Registrar in the Courts of Mixed Commission at Sierra Leone, for preventing illegal Traffic in Slaves.

I had the honour to receive with your Despatch, His Majesty's Commissions, appointing Mr. Hamilton and Mr. Woods to these situations.

I have delivered these Commissions to Mr. Hamilton.

Mr. Hamilton and myself will concert the mode of his entering regularly upon his Appointment.

I have unreservedly communicated to Mr. Hamilton, for his information and guidance, the Instructions which were addressed by His Majesty's Secretary of State to Mr. Fitzgerald and myself.

I have the honour to be, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 17.—*Edw. Gregory, Esq. to Mr. Secy. Canning.*—(Rec. June 21.)  
(Extract.)

*Sierra Leone, April 19, 1824.*

Mr. Hamilton proposes to have the honour of informing you that, by the unhappy event of the death of *Sir Charles Mac Carthy*, he has assumed the Government of this Colony.

Mr. Hamilton has done me the honour to offer to appoint me to the situation of a *Member of His Majesty's Council* in this Colony. As I have not apprehended that this Appointment will interfere with

my functions, under the Treaties for preventing illegal Slave Trade, I have deemed it my duty to His Majesty to accept the Appointment.

I beg leave, Sir, respectfully to state that, should it meet with your approbation, I should feel highly honoured, if His Majesty should graciously be pleased to confirm me in my Seat in the Council.

*The Right Hon. George Canning.*

E. GREGORY.

No. 18.—*Lord Howard de Walden to Edward Gregory, Esq.*

SIR,

*Foreign Office, August 6, 1824.*

I AM directed by Mr. Secretary Canning to send to you, for your information, the Copies of two Letters which have passed between the Colonial Department and this Office, by which you will perceive, that the necessary directions have been given, in compliance with the request expressed in your Letter of the 19th of April last, addressed to Mr. Canning, for confirming you in the *Seat in the Council* at Sierra Leone, to which you had been appointed by the Acting Governor of that Colony.

I am, &c.

HOWARD DE WALDEN.

*Edw. Gregory, Esq.*

(*Enclosure 1.*)—*Joseph Planta, Jun. Esq. to R. Wilmot Horton, Esq.*

SIR,

*Foreign Office, July 3, 1824.*

I AM directed by Mr. Secretary Canning to send to you the accompanying Copy of a Despatch which Mr. Canning has received from Mr. Gregory, His Majesty's Commissary Judge at Sierra Leone, soliciting that His Majesty would be graciously pleased to confirm him in his *Seat in the Council* of Sierra Leone, to which he had been appointed by the Acting Governor of that Colony: and I am to request, that, in laying this Letter before Earl Bathurst, you will add, that so far as this Department is concerned, Mr. Canning sees no objection to the granting of Mr. Gregory's request.

I am, &c.

*R. Wilmot Horton, Esq.*

JOSEPH PLANTA, Jun.

(*Enclosure 2.*)—*Adam Gordon, Esq. to Joseph Planta, Jun. Esq.*

SIR,

*Downing Street, August 5, 1824.*

IN the absence of the Under Secretary of State, I am directed by Earl Bathurst to acknowledge the receipt of your Letter of the 3d ultimo, transmitting the Copy of a Despatch which had been received from Mr. Gregory, His Majesty's Commissary Judge at Sierra Leone, soliciting that His Majesty would be graciously pleased to confirm him in his *Seat in the Council* of Sierra Leone, to which he had been appointed by the Acting Governor of that Colony; and to acquaint you, in

reply, for the information of Mr. Secretary Canning, that his Lordship has given the necessary directions for confirming Mr. Gregory in his Seat in the Council of Sierra Leone.

I have the honour to be, &c.

*Joseph Planta, Jun. Esq.*

ADAM GORDON.

No. 19.—*G. Rendall, Esq. to James Bandinel, Esq.—(Rec. Oct. 2.)*  
SIR, *Sierra Leone, July 5, 1824.*

I HAVE the honour to enclose herewith a Copy of the *Register* of Slaves, emancipated by decree of the Courts of Mixed Commission established at Sierra Leone, for the prevention of illicit Traffic in Slaves, during the period commencing the 5th day of January, and ending the 4th day of July, 1824.

I have the honour to be, &c.

*James Bandinel, Esq.*

G. RENDALL.

MEMORANDUM.—The Enclosure contains the Names and particulars of Emancipation and Registry of Slaves, from No. 3910 to No. 4236, amounting to 327 Slaves.

No. 20.—*His Majesty's Commrs. to Mr. Secy. Canning.—(Rec. Oct. 2.)*  
SIR, *Sierra Leone, July 15, 1824.*

WE had the honour to receive on the 10th instant, your Despatch of the 25th of April 1824, conveying to us His Majesty's gracious approbation of our conduct upon the difficult and doubtful Cases which have come under our investigation.

We are deeply impressed with a proper sense of His Majesty's gracious condescension in noticing our conduct with approbation, and we hope that our future proceedings may be deserving of His Majesty's favourable regard.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 21.—*E. Gregory, Esq. to Lord Howard de Walden.—(Rec. Jan. 13.)*  
MY LORD, *Sierra Leone, November 4, 1824.*

I BEG leave to acknowledge the receipt, on the 23rd of September last, of your Lordship's Letter of the 6th of August 1824, enclosing the Copies of two Letters which had passed between the Department for Foreign Affairs, and the Colonial Department, relative to the request expressed in my Letter of the 19th of April last, addressed to Mr. Secretary Canning, that I might be confirmed in the *Seat in the Council* at Sierra Leone to which I had been appointed by the Acting Governor of this Colony.

I am duly sensible of this mark of Mr. Secretary Canning's at-



tention to the wishes that I ventured to express, in regard to this confirmation of the appointment of the Acting Governor.

I have the honour to be, &c.

Lord Howard de Walden.

E. GREGORY.

No. 22.—*D. M. Hamilton, Esq. to Mr. Secy. Canning.*—(Rec. Jan. 13.)  
(Extract.) *Government House, Sierra Leone, Nov. 1, 1824.*

Referring you to the Printed Papers presented to Parliament by Command of His Majesty in 1821, relative to the Slave Trade, numbered Ten and Eleven, with Enclosure in No. 11, at pages 48 and 49, you will observe that I brought the Case of the Spanish Ship "*Josepha*," Llarena, Master, under notice of the Commissary Judges of the *British and Spanish* Court of Mixed Commission, but that no decision took place in that Case, for the reasons stated in the letter of the British Commissary Judge to the late Viscount Castlereagh. This seizure was sent to me by *Captain Willes* of His Majesty's Ship "*Cherub*," after his leaving the Coast in 1818, and before my appointment to the Office of Registrar to the Mixed Commissions. The Cargo that was delivered to me by the Officer in charge, prior to the sinking of the Vessel, was sold by me, the net proceeds of which, after deducting the expenses incurred on the Vessel in endeavouring to keep her above water, and the amount paid for the passage and stock of four of the Officers of the "*Cherub*" to England, remain now in my possession, amounting to £1478. 13s. 11d., the principal part of the Accounts of which I rendered *Captain Willes*, who was at this Place last July, in His Majesty's Ship "*Brazen*," and who agreed with me in the propriety of submitting the matter to you, Sir, for your consideration, in the hope you would be pleased to direct in what manner the money in question is to be disposed of.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 23.—*D. M. Hamilton, Esq. to Mr. Secretary Canning.*

SIR,

*Sierra Leone, November 1, 1824.*

THE extreme debility I now labour under from the severe fits of illness I have experienced, since unfortunately getting the endemic fever of this Country last July, induces me, though with much reluctance, to solicit the indulgence of leave to return to my native Country, for a limited time, for the restoration of my health. Should you, Sir, have the kindness to grant this my request, an early notification of the same will be an additional favour conferred on me.

Mr. Gregory has most kindly authorized me to say that he will relinquish his prior claim to leave of absence, provided no unforeseen event renders his return to England absolutely requisite for his preservation.

I take the liberty of enclosing the Certificate of Mr. Shower, the Colonial Surgeon.

I have the honour to be, &c.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 24.—*Edw. Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Jan. 13.)  
SIR, Sierra Leone, November 13, 1824.

MR. HAMILTON has expressed a wish to me to return to England, with *leave of absence*, on account of the frequent attacks of illness to which he has lately been subjected.

I have mentioned to Mr. Hamilton that I have indulged the hope that you would favour me with leave to quit this Colony for England, for a short period; but that if you should favour me thus, I would not avail myself of your leave unless compelled to do so by absolute ill-health. Mr. Hamilton's state of health is very precarious, and I should not excuse myself were I not to give way to his claims to the indulgence of leave of absence.

Although I am happy to give way to Mr. Hamilton in this instance, I humbly beg to express my hope to be favoured with your permission to return to England, for a short period, if my health should demand my return; and I beg to say that I will not avail myself of such permission unless in the case of positive ill-health.

I have been favoured by a kind Providence in regard to my health during my stay at Sierra Leone, but a continued residence therein of upwards of five years, makes me, in some degree, apprehensive of the future influence of the climate, and solicitous to provide against it.

I have the honour, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 25.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Jan. 13.)  
(Extract.) Sierra Leone, November 8, 1824.

We have the honour to report to you, that *Messrs. Magnus and Bidwell*, the first, Writer to His Majesty's Commissioners, the second, Writer in the Courts of Mixed Commission, arrived at Sierra Leone on the 23rd of September last, and immediately entered upon the duties of their Situations.

*Mr. Worrall*, first Writer to His Majesty's Commissioners, it appears from the information of *Messrs. Magnus and Bidwell*, was prevented by severe illness from proceeding on the Voyage to this Place.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 26.—*Mr. Secretary Canning to D. M. Hamilton, Esq.*  
SIR, Foreign Office, January 18, 1825.

I have received your Letter of the 1st November last, soliciting permission to return to Europe for the benefit of your health, and en-

closing a Certificate of Mr. Shower, the Colonial Surgeon, as to the urgency for this permission.

Under these circumstances, His Majesty has been graciously pleased to grant your request.

You will, prior to your departure from Sierra Leone, make such provisional arrangements as are compatible with the Instructions and Powers given to you, for rendering your absence of as little inconvenience as possible to the publick Service.

I am, &c.

D. M. Hamilton, Esq.

GEORGE CANNING.

No. 27.—*Mr. Secretary Canning to Edward Gregory, Esq.*

SIR,

*Foreign Office, January 24, 1825.*

I HAVE received and have considered the subject of your Letter, marked separate, of the 13th of November, 1824; and I have to state to you, that you may consider yourself to have permission to return to England for a short period, if your health should imperiously demand your absence from Sierra Leone:—At the same time I trust in your declaration, that you will not leave the Colony under this permission, unless there should be an absolute necessity for your doing so.

I am, &c.

*Edward Gregory, Esq.*

GEORGE CANNING.

No. 28.—*Joseph Planta, Jun. Esq. to D. M. Hamilton, Esq.*

SIR,

*Foreign Office, March 4, 1825.*

YOUR Letter of the 1st of November, 1824, to Mr. Secretary Canning, respecting the Proceeds of the Spanish Vessel the *Josepha*, captured in the year 1818, by H. M. S. *Cherub*, Captain Willes, has been referred to the Admiralty, and to His Majesty's Advocate-General. I am directed by Mr. Canning to state to you, that it appears, from a reference to the Admiralty, that Captain Willes, at the time of capture, was not furnished with Instructions under the Treaty with *Spain* for the Suppression of Slave Trade; and I am also to state to you, that His Majesty's Advocate-General is of opinion, that, as the seizure was not made under the Slave Trade Convention, it is not a Case in which Mr. Secretary Canning can be required to give any directions. The King's Advocate is farther of opinion, that, to the Claimants, if any should appear, Captain Willes will be responsible, and that it is Captain Willes who should give directions respecting the Proceeds, which must be considered, in the mean time, to be in his care and custody. If there should be any grounds on which Captain Willes may expect to be exonerated by His Majesty's Government from that responsibility, it is for him to state those grounds, and to bring forward such application to the Admiralty.

I am, &c.

D. M. Hamilton, Esq.

JOSEPH PLANTA, Jun.

No. 29.—*Mr. Secretary Canning to William Smith, Esq.*

SIR,

*Foreign Office, March 21, 1825.*

HIS Majesty having been pleased to appoint you to be Registrar to the Mixed Commissions established at Sierra Leone, under the Treaties with *Spain, Portugal, and The Netherlands*, for the repression of illegal Slave Trade, I herewith transmit to you the King's Warrant of Appointment to that effect.

You will proceed to Sierra Leone without delay. On your arrival at that Place you will present yourself to His Majesty's Commissioners, and, shewing to them your Appointment, request from them directions for your guidance in entering upon the duties of your situation, in the exercise of which, you will consider the Instructions which were addressed from this Department to the late Registrar, as the rule of your conduct, in the same manner as if they were addressed to yourself.

I am, &c.

*William Smith, Esq.*

GEORGE CANNING.

No. 30.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, March 21, 1825.*

HIS Majesty has been pleased to nominate and appoint *William Smith, Esq.*, to be Registrar to the Mixed Commissions established at Sierra Leone, under the Treaties with Foreign Powers for the repression of illegal Slave Trade.

Mr. Smith will repair to Sierra Leone in the Vessel by which this Despatch is conveyed. He is instructed to present himself to you upon his arrival at that Place, and to shew to you his Appointment. I have to desire that you will administer to Mr. Smith, in proper form, the Oath prescribed to be taken by him; and that, having introduced him to such of the Foreign Commissioners as may be at Sierra Leone, when this Despatch reaches you, you will instal Mr. Smith in his place as Registrar to the Mixed Commissions, and give him directions to enter upon the exercise of his duties in that situation.

I am, &c.

*His Majesty's Commrs.*

GEORGE CANNING.

No. 31.—*J. Reffell, Esq. to Mr. Secretary Canning.*—(Rec. March 28.)  
(Extract.) *Secretary's Office, Sierra Leone, January 27, 1825.*

I DEEM it my duty most respectfully to acquaint you, that Acting Governor *Hamilton* has acknowledged my claims as Colonial Secretary to the situation, *ad interim*, vacant in the Courts of Mixed Commission, established in this Colony, and that I have accordingly taken the usual Oath of Commissioner of Arbitration, in conformity to the several Treaties, and entered upon the duties of the said Office.

*The Right Hon. George Canning.*

J. REFFELL.



SIERRA LEONE. (*Spain.*)

No 32.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, May 29, 1824.*

I HAVE received, and have referred to His Majesty's Advocate-General, your Despatches of the 20th of November, 1823, and 20th of January, 1824, relating to the Case of the *Spanish Schooner, Fabiana*, sent in to Sierra Leone by *Lieut. Gray*, commanding two boats of His Majesty's Ship *Owen Glendower*.

The King's Advocate has reported, that the detention having been made by a competent Officer, and the declaration, which was omitted, not being enjoined to be given in all Cases, but only where held to be necessary, the circumstance that the captured Vessel was sent in for adjudication by the Subordinate Officer, though an irregular act, was not so irregular but that you might have proceeded to adjudication. And The King's Advocate further points out, as what he holds to be the sound construction of the Treaty, that, although the Government may be answerable for losses occasioned by deviations from the Treaty, still every deviation does not necessarily invalidate a capture.

Under these circumstances, and in this view of the Case, it appears to me, that you should rather have proceeded to adjudication, than have suspended your proceedings, and ordered the *Fabiana* to be sold; and you will, therefore, act upon this opinion in this Case, so far as the circumstances will allow of it, and on similar occasions.

I am, &c.

*His Majesty's Commrs.*

GEORGE CANNING.

No. 33.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(*Rec. June 7.*)

SIR,

*Sierra Leone, February 23, 1824.*

IN our Despatch of the 10th of September last, we had the honour to state, for your information, that a Schooner called the *Conchita*, was captured on the 16th of June, 1823, in Old Calabar River, by *Sir Robert Mends*, commanding His Majesty's Ship *Owen Glendower*; that she was from *Saint Jago de Cuba*; had a *Danish* Flag; that her log-book, which was in the *Spanish* language, stated her to be a *Danish* Vessel, but that the Captor, *Sir Moberg Mends*, declared her to be a *Spanish* Vessel; that the Papers alleged to belong to her were tendered to the Court on the 29th of August last, and that the Proctor for the Captor prayed immediate proceedings against her; but that, as neither the Vessel nor any Person who could properly depose to particular facts relating to her detention and to her Papers, had been sent to *Sierra Leone* by *Sir Robert Mends*; and, as no proper reason was assigned why she

was not sent to this Place for adjudication, we did not think it right that proceedings should be instituted against her, until her arrival, or until her absence should be properly accounted for.

We have now, Sir, the honour to state, for your further information in this Case, that, on the 9th of December last, the Principal Clerk in the Registry Office reported to us the arrival on that day of the *Conchita* in the Port of Freetown; that she had no Slaves on board, and was of the burden of sixty tons. On the 20th of December following, Mr. Macauley, as Agent of Commodore Sir Robert Mends and the Officers and Crew of His Majesty's Ship *Owen Glendower*, after alleging the arrival of the said Schooner, prayed that the usual Monition might issue. Mr. Macauley brought in two Declarations of Sir Robert Mends, one relative to her capture, and the other to the necessity of landing the Slaves from on board her at Cape Coast Castle. In the first of these Declarations, dated off Old Calabar River, the 20th of June, 1823, Sir Robert sets forth, that "on the 13th day of June, 1823, being close to the entrance of Old Calabar River, which is situated in 4° 31" North Latitude, and 8° 38" East Longitude, he despatched the Boats of the *Owen Glendower* up the said River, under the command of *Lieutenant Clarkson*; that upon arriving in the River, the Lieutenant received information of a Spanish Schooner, carrying on the Slave Trade, being in one of the Creeks, whither she had repaired upon receiving notice of the approach of the Boats, for the purpose of concealment, and that her Captain was then on shore actually employed in purchasing Slaves; that on the 16th of June 1823, the said Lieutenant Clarkson found in a place called the *Great Quaa Creek*, after a long search, a Schooner, from on board of which a great number of Persons, the majority of whom were black, jumped over board and swam to the shore; that upon boarding her, she was found completely deserted by her Crew; but, in about four minutes afterwards a canoe came alongside, in which were three Slaves who had been purchased by her Captain; and on the following day fifty-five Slaves were sent off by Duke Ephraim, Chief of the before mentioned River of Old Calabar, as forming part of the cargo of the said Schooner, which he declared to Lieutenant Clarkson to be a Spanish Vessel, and that these Slaves had been bought by her Captain from him; that she was furnished with double Coppers for cooking, manacles, shackles, tubs, and other apparatus usually carried by Ships employed in the Slave Trade; that a platform was found in the hold; that she had on board a good quantity of water, and was in every respect fitted and prepared for receiving a cargo of Slaves: that from the Papers and Chart found on board, which were all written in the Spanish Language, it appeared that she was called the *Conchita*; that she sailed from the Port of Saint Jago in the Island of Cuba, on the 28th day of March 1823,

and arrived at Old Calabar River on the 4th of June following; and, that the only Colours found on board were a Danish and American Ensign."

In the other Declaration, dated at Cape Coast, the 6th of August 1823, Sir Robert Mends sets forth that "the Negroes captured on board the said Schooner were removed on board the Owen Glendower for cure, the greatest part of them being in a sickly condition, and that after the loss of the *Maria La Luz*, a Spanish Schooner, also captured by the Owen Glendower, the Negroes were removed on board her for a safe conveyance to Sierra Leone; but that after having been in the Owen Glendower six weeks, the major part of them became unhealthy; and, being then unavoidably detained at Cape Coast for the defence of the Forts against the Ashantee Army, his, Sir Robert Mends's, return to Sierra Leone became altogether uncertain; and that, under those circumstances, it was absolutely necessary to land them in the Castle, to be taken care of by the Government, as their longer detention on board would be attended with greater loss amongst them, and the extreme danger of spreading the contagion through the Ship."

On the 24th of December, the attestation of Lieutenant Clarkson with the *Conchita's* Papers were brought in, and the usual Monition issued, calling upon all persons in general, pretending any right, title, or interest, in the said Schooner, to appear and make legal claim for her, and the same was returned on the first of January following as duly served.

On the 15th of January following, at the Petition of the Proctor for the Captors, the Case was heard, and the deposition of *Lieutenant Clarkson* of His Majesty's Ship *Owen Glendower*, and that of two seamen of the Schooner *Maria La Luz*, exhibited in proof of illegal Slave-trading. The first of these depositions alleged that "Lieutenant Clarkson having been deputed by Commodore Sir Robert Mends in the command of the boats of the Owen Glendower up the *River Old Calabar*, on the thirteenth day of June last, he, Lieutenant Clarkson, was informed there was a Spanish Schooner slaving up one of the Creeks; and on proceeding up the Great Quaa Creek, he found a Schooner lying at anchor in a narrow part of it, the mangroves not being more than twenty feet distant from either side of her; that on rounding a bend in the Creek, close to where the said Vessel was lying, they first perceived her, and on their appearance, they saw a great many persons, principally black, jump overboard and gain the shore; that one child (black) was drowned just as they were endeavouring to rescue it; and that the rest, white and black, escaped into the surrounding woods; that on going on board they found her to be the Spanish Schooner, *Conchita*, completely fitted for Slaves; with her platform laid; her water-casks full; her yams and provisions all on board.

That her Slave coppers were dirty, and from their appearance had been used in cooking that same day. That her poopoo-tubs, which in Slave Vessels are used for the Slaves to pass their excrement into, were dirty, and had human excrement in them; that her rice-kids and wooden spoons were dirty, and were evidently in use; that from these circumstances, and the further one of the filth and dirt on her platform, and the stench in the hold, deponent was certain that Slaves must have been on board, and removed a very short time before she was boarded; that they immediately got her under weigh, and were proceeding down the Creek, when three Slaves were brought on board as belonging to her, without any application being made for them, or any communication having taken place with the shore; that on deponent making an application to Duke Ephraim for the Slaves, he sent off to deponent fifty-five, stating they were all he could find. That the Officers and Crew having jumped overboard, as aforesaid, or been on shore previously, never were under his control; that they had an opportunity, if they had chosen it, to have embarked on board the said Schooner, as she remained at Duke Ephraim's for forty-eight hours; and deponent has heard, and verily believes, the Master of the said Schooner destroyed himself three days after the Capture."

The two seamen of the *Maria La Luz* deposed, "that they were seamen in and on board the Schooner *Maria La Luz*; that they knew the Schooner called the *Conchita*, and that they immediately recognised her on seeing her in company with the English Frigate *Owen Glendower*; that they saw the *Conchita* in the month of March last, at the Port of Saint Jago, in the Island of Cuba, where and when she was fitting out for a voyage to the Coast of Africa for Slaves, at the same time with the Schooner to which these deponents belonged; that the Schooner *Conchita* was commanded by a Spaniard of the name of *De Lima*; and deponents further said, that they were often in company with the Crew of the said Schooner *Conchita*, who were all Spaniards; that she hoisted Spanish Colours; that when they saw the said Schooner in the Calabar River, they immediately knew her again to be the same Vessel that had been at Cuba, fitting out for a voyage to the Coast for Slaves."

On this evidence, and the absence of any Claimant, the Proctor for the Captors prayed condemnation of the Vessel and Emancipation of the Slaves.

In expressing our sentiments upon this Case, we adverted to the length of time that had intervened betwixt the capture of the *Conchita* and her arrival in this harbour. The employment of the Vessel in this time had not been explained. We were of opinion that the *Conchita* ought to have been sent hither upon her capture, with all convenient despatch. It appeared to us that the Captor, by keeping the Vessel for so long a period, had not acted conformably to the first Article of the



Instructions for the British and Spanish Ships of War employed to prevent the illegal traffic in Slaves, annexed to and forming part of the Treaty.

As the absence of a Claimant could not, under the Treaty, be a reason for the condemnation of the vessel, the only point for our consideration was, whether sufficient proof had been given by the Captors that the vessel had been illegally engaged in the traffic in Slaves, and whether she had fallen under the provisions of the Treaty which rendered her liable to condemnation.

The Master and Crew of the *Conchita* had not been sent hither as witnesses in the Case. It was alleged that they had fled from the vessel on the approach of the boats of the *Owen Glendower*. This allegation accounted for their absence, and was a reason why their evidence had not been furnished to the Court.

In the unavoidable absence of the Master and Crew of the vessel, we should have been satisfied if the evidence of the Slaves who were stated to have belonged to the *Conchita* had been brought forward in proof of the embarkation of a Slave, or Slaves, for the traffic, prior to the detention of the vessel.

It had been alleged that when the boats of the *Owen Glendower* were approaching the *Conchita*, a number of Persons, the majority of whom were black, jumped overboard. It was also alleged that the vessel was in that state, at the time when the Captors got on board, which shewed that Slaves had recently been in the vessel. And the inference raised was, that the black persons who had been seen to jump over-board were the Slaves who had caused the vessel to be in the state in which she was found by the Captors.

It would have been very easy for the Captors to have produced some of the Negroes, who had been delivered up to them by the Chief of Old Calabar, as witnesses to prove what was now only matter of inference. If any of these Negroes had been on board of the *Conchita*, as was inferred, previous to her detention, the point in question would be set at rest, and the vessel would be liable to condemnation. All these Negroes, however, had been landed at Cape Coast. It was not asserted that they were all sickly, and could not be sent hither. We had, therefore, a right to suppose that it would have been easy for the Captors to have produced some of them as witnesses in the Case.

The only material points in the Case that we found proved, by other evidence than that of the Captors, were the Spanish character of the vessel, her Slave-trading out-fit and designs, and the point of her being hid by her Crew in one of the creeks of the river Calabar, on the approach of the English boats. The two seamen of the *Maria La Luz* had proved the first and second points. The third point was proved by an entry that was made in a log-book of the *Conchita*, that was kept in the Spanish language. The proof of these points was material, as

that it brought the vessel, which, it appeared by a log-book, had assumed a *Danish* character, within the operation of the Treaty with *Spain*, and as that it shewed the illegal nature of the voyage of the *Conchita*. But proofs of these points alone would not make that vessel liable to condemnation; neither would surmises that the Negroes, who had been seen to jump overboard from the *Conchita* on the approach of the English boats, were Slaves designed for the traffic. It might not be improbable that these Negroes were free Natives of the river Calabar, who had assisted the Crew of the *Conchita* in taking her to the creek where she lay concealed. This might be the less improbable, as the Spaniards of the *Conchita* were aware, a day or two before the capture, of the approach of the English boats, and would hardly have been so simple as to keep Slaves on board, to testify to the Captors the illegal trade in which they were engaged.

It appeared to us, Sir, that the Captors had not furnished the best proof in this Case that was in their power.

The first Article of the Regulations for the Mixed Commissions annexed to the Treaty, provides that "the Commissioners shall give sentence as summarily as possible, and they are required to decide,—as far as they shall find it practicable, within the space of twenty days, to be dated from that on which every detained vessel shall have been brought into the port where they shall reside,—first, upon the legality of the capture; second, in the case in which the captured vessel shall have been liberated, as to the indemnification which she is to receive.

"And it is hereby provided that, in all cases, the final sentence shall not be delayed on account of the absence of witnesses, or for want of other proofs, beyond the period of two months, except upon the application of any of the parties interested," &c.

Unwilling to decide upon the Case, as the Case then stood, we resolved to postpone giving our determination upon it until the 9th of February, which day would complete two months from the date of the arrival of the *Conchita* at this Port. In acting thus, we wished to mark our sense of the remissness of the Captors, in not furnishing us with the evidence of the Negroes that had been delivered up to them. We further wished to extend the time for determining on the Case, in the hope that, by some possibility, these Negroes might be sent hither in the interval. Accordingly, the Case was directed to stand over until the 9th of February.

On the 9th of February we again met in Court on the Case of the *Conchita*.

The Proctor for the Captor stated that it had not been in his power to procure further evidence in the Case; he again, therefore, prayed the condemnation of the *Conchita*, and the emancipation of her Slaves.

Since the last sitting of the Court, on the 15th of January, we had

furthered considered the circumstances of this Case, and the provisions of the Treaty, with its Explanatory Article of the 10th of December 1822, that were applicable to them.

The Treaty enjoined the Commissioners to proceed as summarily as possible, and not to delay their decision beyond the period of two months from the date of the arrival of the vessel at this port. But the Explanatory Article of the 10th of December, 1822, required that, to cause the condemnation of a vessel, there "should be *clear and undeniable proof* that a Slave, or Slaves, had been put on board of a vessel for the purpose of illegal traffic in the particular voyage on which the vessel shall be captured."

Was there clear and undeniable proof that a Slave or Slaves had been put on board of the *Conchita* for purposes of illegal traffic previous to her detention?

Mr. Gregory had considerable doubts whether there was any proof at all that bore on this question, for he doubted extremely the propriety of admitting the Captors to prove the charge which they had brought against the vessel. Mr. Gregory doubted very much whether it would be consistent with justice that Captors should be prosecutors and witnesses in the same Case. Mr. Gregory could not think that in such a Case as the present he was imperatively bound to give a decision; certainly, he could not conscientiously pronounce one for the condemnation of the vessel. Mr. Gregory thought that the decision on the Case had better be postponed until proper and sufficient evidence should be produced.

Mr. Hamilton, without conceiving it requisite in this Case to consider the competency of the Captors as Witnesses, was of opinion that there was not that *clear and undeniable proof* of a Slave, or Slaves, having been put on board the *Conchita* for the purpose of illegal traffic in this voyage, that the Explanatory Article to the Treaty required; and was strongly inclined to think that as the Captors, the only Party before the Court, had refused to make application for further time, that the Commissioners were peremptorily called on by the First Article of the Regulations to give final Sentence without further delay; but, in deference to the opinion of Mr. Gregory, and conceiving that no extra expense would accrue to any Party thereby, was willing to agree with him in the postponement of the decision on the Case.

Accordingly, we intimated in Court our determination that the Case should be further postponed.

On the motion of the Proctor for the Captor, the *Conchita* was ordered by the Court to be sold, the proceeds of her sale to be lodged in the Registry.

We would beg leave, Sir, to point your attention in this Case to the assumption of, or rather, perhaps, the attempt to assume, a Danish character by the *Conchita*.

No Papers giving a *Danish* character to the Vessel were, indeed, found on board, neither were any *Spanish* Clearance Papers. In all probability these last were with the Captain on shore. But in a log-book, kept in the Spanish language, she was stated to be a Danish Vessel, and a Danish Flag was found on board, according to the statement of the Captors.

This is the third Case that has come before the Mixed Court wherein a Foreign character has been assumed by *Spanish* Slave Vessels. The Schooner "*Joseph*" adjudicated in the year 1822, assumed a *Swedish*; and the Schooner *Maria la Luz*, adjudicated in the month of September last, assumed a *French* character.

It will not escape your notice, Sir, that this assumption of a Foreign character by Spanish Slave Vessels on this Coast may be productive of mischief, as it cannot fairly be expected that the Commanders of Cruizers, in the honest and faithful discharge of their duty under the Treaties, should refrain, when a Foreign character is with so much effrontery attempted to be assumed by Spanish Slave Vessels, from visiting Vessels on board of which a Foreign Flag may be hoisted. And it must sometimes happen that visitations will be made on board of vessels really belonging to Nations, not Parties to the Slave Trade Prevention Treaties.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 34.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. June 21.)

SIR,

*Sierra Leone, April 14, 1824.*

WE had the honour to receive, on the 11th Instant, your Despatch, furnishing us, for our information and guidance, with the Copy of a *Declaration* which His Majesty's Ambassador at Madrid, and the Spanish Minister of State, concluded and signed at Madrid, on the 2nd of February, 1824, in correction of a *clerical error* which had crept into the Additional Article of the 10th of December, 1822, to the Treaty between His Majesty and The Catholic King, for the prevention of illegal traffic in Slaves.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 35.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, July 5, 1824.*

By advices received from His Majesty's Commissary Judge at The Havannah, it appears that, on the 14th of April, 1824, the brig *Conquistador*, Don Nicholas Escala, Master, and the Schooners, *Mianor*



and *Ninfa Habanera*, Don Domingo Acue and Don Francisco Loureiro, Masters, sailed from Havannah for the Coast of Africa.

This intelligence has been communicated to the Board of Admiralty.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No 36.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. July 14.)

SIR,

*Sierra Leone, May 18, 1824.*

WE have the honour to report to you, that *Mr. Hamilton* has formally entered upon his Appointment of Arbitrator in the *British and Spanish Court of Mixed Commission*.

Having concerted with the acting Chief Justice of the Colony, *Mr. Kenneth Macauley*, we met that Gentleman at the Government-House, on the 28th of April last. His Majesty's Commission to *Mr. Hamilton* having been read, *Mr. Hamilton* took, before the acting Chief Justice, the Oath prescribed to him by the Commission, after which a Certificate of this fact was drawn up and signed by the acting Chief Justice.

On the 15th instant, we met at the Mixed Commission Court-House. *Mr. Hamilton* exhibited to the acting Registrar the Certificate of his having taken the Oath as Arbitrator before the Chief Justice. A Copy of the Certificate was taken by the acting Registrar to be kept amongst the Records of the Mixed Commission. His Majesty's Commission to *Mr. Hamilton* was read in Open Court by the acting Registrar, and the Court was declared to be open for the despatch of business. A minute was made of these proceedings.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 37.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, September 3, 1824.*

IN reference to your Correspondence on the subject of the *Spanish Schooner "Fabiana,"* I enclose to you the Copy of a Letter which has been received at this Office from the Admiralty, by which you will remark, that the charge of prosecuting that vessel devolved necessarily upon the Subordinate Officer, *Lieut. Gray*, only in consequence of the death of *Sir Robert Mends*, the Commanding Officer of the capturing Ship. This explanation of the matter appears to me to be satisfactory.

I am, &c.

GEORGE CANNING.

*His Majesty's Commissioners.*

(Enclosure.)—*J. W. Croker, Esq. to Joseph Planta, Jun. Esq.*

SIR, *Admiralty Office, August 19, 1824.*

IN reference to your Letter of the 28th of May last, relative to the Spanish Schooner, *Fabiana*, detained by the Boats of His Majesty's Ship, *Owen Glendower*, for illicit trading in Slaves, having been sent in to Sierra Leone, for adjudication, by the Subordinate Officer, without being previously brought to the Captain of His Majesty's Ship; I am commanded by My Lords Commissioners of the Admiralty to acquaint you, for the information of Mr. Secretary Canning, that it appears to have been in consequence of the death of *Sir Robert Mends*, and the consequent disarrangement of that Officer's original intentions, that the charge of prosecuting this Vessel devolved on *Lieut. Gray*; and that My Lords are not aware that any other course could be taken than that which was adopted.

I am, &c.

*Joseph Planta, Jun. Esq.*

J. W. CROKER.

No. 38.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 2.)  
(Extract.) *Sierra Leone, August 4, 1824.*

HIS Majesty's Commissioners have informed you of the proceedings of the British and Spanish Court of Mixed Commission, in regard to the undecided Cases of the Spanish Schooners "*Fabiana*" and "*Conchita*." They mentioned, Sir, that those vessels had been ordered to be sold by the Mixed Court on the motion of the Proctor for the Captors.

I have now, Sir, to acquaint you that those vessels were sold as ordered by the Mixed Court, and that the nett proceeds of their sale will be paid into the Registry, as soon as some points in the accounts of their sale are settled.

The nett proceeds of the sale of the "*Fabiana*" and the "*Conchita*" may amount to the sum of £400., Colonial Currency.

*The Right Hon. George Canning.*

E. GREGORY.

No. 39.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 2.)  
(Extract.) *Sierra Leone, August 14, 1824.*

WITH reference to the Despatch which I had the honour to address to you on the 4th instant, I beg leave to inform you that the nett proceeds of the sale of the Spanish Schooner "*Fabiana*," amounting to the sum of £284. 19s. 11d.; and the nett proceeds of the sale of the Spanish Schooner "*Conchita*," amounting to the sum of £186. 0s. 8d., have been lodged in the Registry of the British and Spanish Court of Mixed Commission.

*The Right Hon. George Canning.*

E. GREGORY.

No. 40.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Nov. 11.)  
SIR, *Sierra Leone, August 31, 1824.*

YOUR Despatch of the 29th of May, 1824, on the Case of the Spanish Schooner "*Fabiana*," reached Mr. Hamilton and myself on the 19th instant.

Mr. Hamilton and myself will not fail, Sir, to give attention to the matter of your Letter, and to the Case of the "Fabiana," as soon as he shall be recovered from the indisposition with which he has again been seized.

I have the honour to remain, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 41.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Nov. 11.)  
SIR, *Sierra Leone, August 31, 1824.*

ON the 19th instant, His Majesty's Commissioners had the honour to receive your Despatch of the 5th of July, 1824, informing them that it appeared, by advices received from His Majesty's Commissary Judge at *The Havannah*, that the Brig "*Conquistador*," and the Schooners "*Nicanor*" and "*Nueva Havanera*" sailed, on the 14th of April, 1824, from that port for the Coast of *Africa*.

I have the honour to remain, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 42.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Jan. 13.)  
SIR, *Sierra Leone, November 9, 1824.*

MR. GREGORY, in acknowledging, under date of the 31st of August last, the receipt of your Despatch of the 29th of May, 1824, had the honour to state, that when Mr. Hamilton should be recovered from the indisposition under which he then laboured, attention would be given to the Case of the *Spanish Schooner "Fabiana,"* to which your Despatch related.

We have now the honour to inform you that, in obedience to your Instructions, we have proceeded to the adjudication of the "*Fabiana*," and have brought her Case to a close. Sentence of Condemnation was passed against that vessel on the 11th ultimo.

The depositions of the witnesses in the Case of the "*Fabiana*," shewed that a number of Slaves had been put on board of that Vessel, and that she was sailing out of the River *Bonny* with these Slaves, on her homeward voyage; that, perceiving the capturing boats, the "*Fabiana*," put back into the River, and landed the Slaves she had on board. On the capture of the vessel, the Slaves were demanded of the Native Chiefs of the River by the Captors, and a number of them were given up to the Captors on this demand.

The Proctor for the Captors on the day of trial, moved that the Slaves which had been delivered up to the Captors by the Native Chiefs of the River *Bonny* should be emancipated. But, in obedience to the Instructions received by us from you, Sir, some time since, in regard to Slaves who might be given up to the Captors of Slave Ships by Native African Chiefs, we refused to pass a Decree to emancipate the Slaves of the "*Fabiana*," and we declared that there were no Slaves found on board of that Vessel at the time of her Capture.

In the Despatch marked *Spain*, of the 20th of January 1824, which we had the honour to address to you relative to this Case, we mentioned that Captain Stokes, who succeeded to the command of His Majesty's Ship *Owen Glendower*, on the death of *Sir Robert Mends*, claimed to be considered as the Captor of the "*Fabiana*," the capture of that Vessel having taken place ten days after the death of *Sir Robert Mends*.

When the Proceedings in the Case of the "*Fabiana*" had been gone into on the 11th ultimo, it was asked of the Proctor for the Captors whether he was advised that *Captain Stokes* intended to prosecute his claim to be considered as the Captor of that Vessel, the Commissioners having on the 15th of January, 1824, intimated that they were then unwilling to close the Proceedings in the Case against *Captain Stokes*. To the question thus asked of the Proctor for the Captors of the "*Fabiana*," it was answered by the Proctor that he had written, soon after the Commissioners had expressed their opinions on the Case on the 15th of January last, to the general Agent in England for the *Owen Glendower*, stating what had been the determination of the Commissioners in regard to the "*Fabiana*," but that he had not learnt that *Captain Stokes* intended to do any thing in the matter of the claim formerly advanced by himself. We thought that sufficient time had elapsed to enable *Captain Stokes* to urge his claims to be considered as the Captor of the "*Fabiana*," if he had been disposed to urge them. And, accordingly, we proceeded to the adjudication of that Vessel, as already stated, and brought her Case to a close, considering that the Capture had been made by the boats of the *Owen Glendower*, under the orders of *Sir Robert Mends*.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 43.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Jan. 13.)

SIR,

*Sierra Leone, November 11, 1824.*

YOUR Despatch of the 3d of September, 1824, reached us the day before yesterday. With this Despatch we received the Copy of the Letter which had been addressed by the Secretary to the Admiralty to Mr. Under Secretary Planta, under date of the 19th of August, 1824, relative to the *Spanish Schooner "Fabiana,"* detained by the boats of His Majesty's Ship "*Owen Glendower*," for illicitly trading in Slaves, and sent in to *Sierra Leone* for adjudication by a Subordinate Officer of that Ship, without being previously taken to the Captain of the "*Owen Glendower*." The Secretary to the Admiralty states, that it appeared that it was in consequence of the death of *Sir Robert Mends*, the Commander of the "*Owen Glendower*," and the consequent disarrangement of that Officer's original intentions, that the charge of prosecuting the



"*Fabiana*" devolved on Lieutenant Gray; and that the Lords Commissioners of the Admiralty were not aware that any other course could be taken than that which was adopted.

With great deference and submission, we beg leave to represent to you, Sir, that the Lords Commissioners of the Admiralty must, we humbly conceive, have been misinformed respecting this Case, as no disarrangement of Sir Robert Mends' original intentions in regard to Vessels captured, as was the "*Fabiana*," for illicitly trading in Slaves, could possibly have taken place.

In our Despatch, marked *Spain*, of the 20th of November, 1823, and *Spain*, of the 20th of January, 1824, stating the particulars of the Case of the "*Fabiana*," it was mentioned that *Lieutenant Gray* had been instructed by Sir Robert Mends to send any vessel captured by Lieutenant Gray to Sierra Leone, without waiting to report the capture to *Sir Robert Mends*.

It will be seen, Sir, on reference to our Despatch, *Spain*, of the 20th of November, 1823, that the "*Fabiana*," was brought to Sierra Leone on the 16th of October, 1823; that the Commissioners did not think proper to proceed with her Case on her arrival, but determined to wait for the arrival at Sierra Leone of Sir Robert Mends before they took further steps in the Case. The death of Sir Robert Mends was not known to the Prize Master of the "*Fabiana*," on the 20th of November, the date of our Despatch, as, at the conclusion of that Despatch, we mentioned that "it was said that Sir Robert Mends was at Cape Coast, and that he might be expected at Sierra Leone about Christmas." The prosecution against the "*Fabiana*" was commenced in the name of Sir Robert Mends, and in the understanding that that Officer was in existence.

We beg permission, Sir, to enclose herewith the Copies of *Affidavits* made in the Case of the "*Fabiana*" by *Mr. Batt*, Acting Second Master of the "*Owen Glendower*," and Prize Master of the "*Fabiana*," and of *Lieutenant Gray*, the Officer in command of the boats that captured that Vessel. The matter of these *Affidavits* was expressed in the Despatches which we had the honour to address to you, Sir, relative to the Case of the "*Fabiana*."

From these Documents it will clearly appear, that when the "*Fabiana*" was captured by Lieutenant Gray, and sent to Sierra Leone for adjudication, without being previously taken to the Captain of the "*Owen Glendower*," no disarrangement of Sir Robert Mends' original intentions took place. It will, Sir, clearly appear that Sir Robert Mends' original intentions were, as we have stated, that vessels captured by Lieutenant Gray should be sent to Sierra Leone, without waiting to report the capture to Sir Robert Mends.

*Mr. Batt* states in his *Affidavit*, "that the instructions of Commodore Sir Robert Mends to the Deponent, and the Officer in charge

“ of the boats employed in the Expedition, at the time of their quitting  
 “ His Majesty’s Ship ‘ Owen Glendower,’ were to the following effect :  
 “ that is to say, that, in the event of any captures being made, any  
 “ Vessel so captured was to be immediately despatched to Sierra  
 “ Leone under the charge of the Deponent, *without waiting to report*  
 “ *the same to him, the Commodore.*”

Lieutenant Gray in *his* Affidavit, amongst other matters, makes the following declaration : “ I do further declare, that *having orders from Sir Robert Mends to send such Vessel as I might capture direct to this Port* (Sierra Leone) *for adjudication,* and finding her (the ‘ Fabiana’) supplied with a sufficient stock of provisions and other necessaries for that purpose, *I sent her to this Port forthwith.* And I further declare, that Sir Robert Mends died before I returned to His Majesty’s Ship ‘ Owen Glendower.’ ”

We are thus particular, Sir, as we feel it is of great importance, that you should think we do not omit to state every fact that may bear upon a question that our duty bids us submit to your notice, when we make our Reports of Cases which may have come before us in our judicial capacity. We trust that we shall not be understood to have been captiously particular in this instance. Nothing can be further from our intention.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

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(Enclosure 1.)—*Affidavit of Mr. Joseph Batt, in the Court of British and Spanish Mixed Commission.*

Our Sovereign Lord The King against the Schooner Fabiana, Manoel Maria Comps, Master, her tackle, apparel, and furniture, and the Slaves taken or belonging to the same by the Boats of His Majesty’s Ship Owen Glendower.

Personally appeared Joseph Batt, Acting Second Master of His Majesty’s Ship Owen Glendower, and maketh Oath, that on or about the 8th day of September last, this Deponent was employed in the expedition against the Schooner Fabiana, on which day she was seen running through the Portuguese Channel at the mouth of the River Bonny for the purpose of proceeding on her voyage to Havannah, as this Deponent was afterwards informed by the Master of the said Schooner; but immediately on the boats being sufficiently close to be observed, she hauled into a Creek in the River Bonny, where she landed her Slaves; and Deponent saith, that on boarding her she had every appearance of having had Slaves on board, Coppers large enough to cook for two hundred persons, and every other article necessary for the support of Slaves. That on the day she was seized, which was on the 14th day of September, King Peppel, one of the Native Chiefs of the Bonny, sent on board a number of Slaves, stating

that they were the same Slaves that were landed from on board of her on the 8th day of September; and Deponent further saith, that the Captain and Mate of the said Schooner Fabiana, together with all the Crew, except two, by their own request, were allowed to go on shore at Bonny on the day the seizure was made; and this Deponent further saith, that the Instructions of Commodore Sir Robert Mends to this Deponent and the Officer in charge of the Boats employed on the expedition, at the time of their quitting His Majesty's Ship Owen Glendower, were to the following effect; that is to say, that in the event of any Captures being made, any vessel so captured was to be immediately despatched to Sierra Leone, under the charge of this Deponent, without waiting to report the same to him, the Commodore.

J. BATT.

Sworn before me, at Freetown, this 4th day of November, 1823.

G. RENDALL, Acting Registrar.

(A true Copy.)

Sierra Leone, Nov. 12, 1824.

ROBERT HODDEN, Acting Registrar.

(Enclosure 2.)—*Affidavit of Lieut. Gray, in the Court of British and Spanish Mixed Commission.*

*In the Case of the Schooner Fabiana, Juan Manoel de Maria, Master.*

Before Edward Gregory, Esquire, and Daniel Molloy Hamilton, Esquire, Commissioners, acting in the absence of the Spanish Commissioners.

I, William Gray, Esquire, do hereby declare, that, being an Acting Lieutenant of His Majesty's Ship, Owen Glendower, I was deputed by Commodore Sir Robert Mends, Captain of that vessel, with part of the Crew and two boats of that vessel, to seize and detain any vessels which I might find in the River Bonny under the Spanish, Portuguese, or Netherlands Flag, trading in Slaves; that, when at the Mouth of the said River, I saw a Schooner, with a Spanish Flag flying, coming out, but which put back on observing us; that I immediately gave chase, but saw her landing what I verily believe to have been her Slaves, in the Creek into which she had run. That on boarding her she had every appearance of having just landed her Slaves, the poopoo-tubs being full of excrement, the rice in her coppers, &c. That on boarding her she proved to be the Schooner Fabiana, sailing under Spanish Colours, armed with one nine-pounder and small arms, commanded by Juan Manoel de Maria, who declared her to be bound from The Havannah to the Coast of Africa and back, with a Crew consisting of Twenty-four Men and Boys, said Master being Supercargo. That on application to King Peppel he delivered up to me One Hundred and Twenty Slaves, which he declared to be all that remained out of her cargo, many having been lost and stolen in the hurry of land-

ing them on the appearance of the Captors. Which Slaves are enumerated as under.

	Healthy.	Sickly.
Men.....	53	
Women and Girls....	59	
Boys .....	8	
Total	120	

I do further declare, that, having orders from Sir Robert Mends to send such vessel as I might capture direct to this Port for adjudication, and finding her supplied with a sufficient stock of Provisions and other necessaries for that purpose, I sent her to this Port forthwith.

And I further declare, that Sir Robert Mends died before I returned to His Majesty's Ship Owen Glendower.

His Majesty's Ship Owen Glendower, lying in Sierra Leone Harbour, this 20th day of December, 1823.

Witness, J. BATT.

WILLIAM GRAY.

William Gray, Esquire, maketh oath that the contents of the foregoing Declaration are true.

WILLIAM GRAY.

Sworn before me this 20th day of December, 1823.

G. RENDALL, Acting Registrar.

Deponent, William Gray, saith, that the date of Capture omitted in the foregoing Deposition was the 14th day of September, 1823.

WILLIAM GRAY.

Sworn before me this 24th day of December, 1823.

G. RENDALL, Acting Registrar.

Sierra Leone, 6th Nov. 1824.

(A true Copy.) ROBERT HODDEN, Acting Registrar.

## SIERRA LEONE. (*Portugal.*)

No. 44.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(*Rec. June 21.*)

SIR,

*Sierra Leone, April 14, 1824.*

WE had the honour to receive on the 11th instant, your Despatch of the 10th of February 1824, furnishing us with ten Copies of *Articles* signed at Lisbon on the 15th of March, 1823, *Additional to the Convention* for preventing illegal traffic in Slaves, which was concluded at London on the 28th of July, 1817, between The King and *His Most Faithful Majesty*.

Agreeably to your Instructions, we shall, Sir, consider these *Articles* as binding upon us for the guidance of our conduct in giving ef-



fect to His Majesty's intentions in regard to the Stipulations therein recorded.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 45.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. June 21.)

SIR,

*Sierra Leone, April 23, 1824.*

WE have the honour to report to you the circumstance of the detention of three vessels under the *Brazilian Flag*, by His Majesty's Ship "*Bann*," Captain *Courtenay*.

These vessels, the "*Minerva*," Ship, the "*Cerqueira*," Brig, and the "*Creola*," Schooner, were detained on the 30th of January, 1824, off the River *Lagos*, Latitude 6° 26" North, Longitude 3° 46" East.

The "*Minerva*" and the "*Cerqueira*" arrived at *Sierra Leone* in the course of the last, and the "*Creola*" arrived hither early in the present month. The Papers of the "*Minerva*" were brought, soon after her arrival, into the Registry of the Mixed Court. The Proctor for the Captor would have brought into the Registry, at the same time, the Papers of the *Cerqueira*, but they were not taken in by the Registrar, as they could not be properly authenticated in the absence of Captain *Courtenay*, the Captor.

The Papers of the "*Creola*" were taken from her Prize-master at sea, by the people of a vessel which was supposed to be a Spanish Slave Trader, who plundered her of some part of her stores.

The Cases of the "*Cerqueira*" and "*Creola*" were not brought before the Mixed Court.

On examining the Papers of the "*Minerva*," we found her to belong to *Bahia*; to be owned by a Person at that Place, and to be provided with a Passport by the Provisional Government of that Place, acting under the authority of the *Emperor of Brazil*, authorizing a voyage to *Molembo* for Slaves, by the way of the Islands of *Saint Thomas* and of *Princes*. We found that she sailed under the Imperial *Brazilian Flag*, and that all her Clearance Papers had been made out in accordance with the Imperial Order of things in *The Brazils*.

The Declaration of the Captor, Captain *Courtenay*, a Copy of which Declaration we have the honour to enclose, stated in effect, that the "*Minerva*" was detained by him on account of the informality of her Passport, which, as Captain *Courtenay* stated, "was furnished by the Authorities of *Bahia*, acting under the Individual who styled himself *Emperor of Brazil*, but which Individual had never been, to Captain *Courtenay's* knowledge, recognised as such by His Majesty, or His Government; consequently was not qualified to grant Passports according to the provision of the 4th Article of the Treaty of the 22d of January, 1815," (Captain *Courtenay* must have meant the 4th Article of the Convention of the 28th of July, 1817) "which expressly

provided that every *Portuguese* vessel must be furnished with a Royal Passport, and further provided by whom such Passports was to be signed at the several Ports or Places from which vessels employed in the legal traffick in Slaves shall be fitted out."

Captain Courtenay "further declared that the Passport in question was informal in several other respects, which informality would be seen in the proper Court on inspection; he would merely state its being sealed with Arms called the *Imperial Arms of Brazil*, instead of the *Royal Arms of Portugal*."

The Master of the "*Minerva*," was not brought to Sierra Leone; he remained, as stated in Captain Courtenay's declaration, at Lagos. The Mate of the "*Minerva*" was examined upon the standing interrogatories on the 25th of March: he swore that no Slaves had been taken on board during the voyage.

A Monition was issued, on the petition of the Proctor for the Captors, citing all Parties concerned in the Case to appear before the Court. The Monition was returned into the Registry on the 8th of April, but no Claimant for the vessel appeared.

On our first view of the Case, as it was presented to us by the Captor in his Declaration, we were of opinion that no sufficient ground had existed for the detention of the "*Minerva*." The alleged informality of her Passport could not be a sufficient ground for her detention, as by the 6th Article of the Convention it is expressly provided, that "no British or Portuguese Cruizer shall detain any Slave Ship not having Slaves actually on board," or without "Slaves have been put on board for the purposes of traffick," according to the Additional Article to the Convention, of the 15th of March, 1823.

This opinion was not altered by the examination of the Mate of the "*Minerva*." The examination of this Man did not shew any ground upon which the Captor could justify her detention; and, therefore, under the circumstances of the Case, a Sentence of Condemnation could not be expected.

On the 17th of April a Petition was presented to us by the Proctor for the Captor, wherein he stated "that on perusing the examinations taken in the Case, it did not appear that any Slave or Slaves were actually on board at the time of the Capture, or had been on board during the voyage in which she was captured, although the vessel was undoubtedly engaged in the illicit traffic; and that, as no claim had been made on the part of the Owners of the Vessel, the Petitioner prayed that he might be allowed to withdraw the Papers of the Vessel from before the Court, in order that they might be returned to her."

We consented to the prayer of this Petition, and the Papers and the Case of the "*Minerva*" were accordingly withdrawn from the Court.

We understand that the Papers of the "Minerva" were subsequently given up to the Mate of that Vessel by the Proctor for the Captors, and that she is now at liberty to depart from this Place.

The Cases of the "Cerqueira" and the "Creola," were not, Sir, as we have already stated, brought before the Mixed Court. But we have been informed that the ground of their detention was similar to that of the "Minerva." We understand that the Brazilian or Portuguese Crews of those Vessels have returned, by the consent of the Proctor for the Captors, into the possession of them, and that the Vessels are, in the same manner as the "Minerva," at liberty to depart from Sierra Leone.

We beg leave, Sir, to enclose, for your information, a Copy of the English part of the Slave-trading *Passport* of the "Minerva." You will observe, Sir, that, excepting in the change from the Royal Portuguese to the Imperial Brazilian style, it is similar to the Model for the *Passports* for legal Slave-traders which is annexed to the Convention.

We should be extremely happy, Sir, to have your Instructions upon this new point of the informality of the Brazilian Slave Trading *Passports* which has come before us. We should be extremely glad to learn whether His Majesty's Government will allow the validity of these *Passports*, and whether we are to adjudge, indifferently, (as at present we humbly apprehend that we must,) Slave Vessels under the Brazilian and under the Portuguese Flag, by the Convention with *Portugal*, of the 28th of July, 1817.

We further beg leave, Sir, to enclose, for your information, a Paper containing *Memorandums* respecting the "Minerva," the "Cerqueira," and the "Creola." The Particulars connected with the two first Vessels are extracted from their Papers; the Particulars regarding the third Vessel are taken from information given to us by *Jozé Rodriguez Ferreira*, the first Mate of the "Cerqueira."

We have the honour to be, &c.

E. GREGORY.

D. M. HAMILTON.

*The Right Hon. George Canning.*

(Enclosure 1.)—*Passport of the Brazilian Ship Minerva.*



The Provisional Government of the Province of Bahia make known to those that shall see this present *Passport*, that the vessel called *Minerva*, of two hundred and seventy tons, and carrying thirty-nine men, Manoel Joaquim de Almeida, Master, and John Victor Moreira, Owner, Subjects of this Empire, is bound to the Port of *Molembo*, from whence she is to return to any of the Ports of the Empire of Brazil.

The said Master and Owner having previously taken the required oath before the Board of Inspection, and having legally proved that no foreigner has any share in the above vessel or cargo, as appears by the Certificate of that Board which is annexed to this Passport. The said Manoel Joaquim de Almeida, Master, and John Victor Moreira, Owner of the said vessel, being under an obligation to enter solely such Ports on the Coast of Africa, where the Slave Trade is permitted to the Subjects of this Empire, and to return from thence to any of the Ports of this Empire, where alone they shall be permitted to land the Slaves whom they carry, after going through the proper forms, to shew that they have in every respect complied with the Provisions of the Alvara of the 24th November, 1813, which regulates the conveyance of Slaves from the Coast of Africa to the Dominions of Brazil; and should they fail to execute any of these Conditions, they shall be liable to the penalties denounced by the Alvara of the 26th January, 1818, against those who shall carry on the Slave Trade in an illicit manner. And, as in going or returning, she may, either at Sea, or in Port meet Officers of Ships and Vessels of the same Empire, His Majesty, the Emperor D. Pedro I. orders them not to give her any obstruction; and His Imperial Majesty recommends to the Officers of the Fleets, Squadrons, and Ships of the Kings, Princes, Republics, and Potentates, the Friends and Allies of the Crown, not to prevent her from prosecuting her voyage; but on the contrary, to afford her any aid and accommodation she may want for continuing the same, being persuaded that those recommended by their Princes will on our part experience the same treatment. In Testimony of which His Imperial Majesty has ordered her to be furnished by this Government with this Passport, signed and sealed with the Great Seal of the Imperial Arms, which shall have validity only for going and returning, and for one voyage alone. Given in the Palace of the Government at Bahia, the twelfth of November, in the Year after the Birth of Our Lord Jesus Christ, one thousand eight hundred and twenty three.



FRANCO E. LISBOA PIRES DE CARVO e ALBUQUE P.  
JOAQUIM JOSE PINHEIRO DE VASCOS S.  
MANOEL GONSALVES MARIA BETENCOURT.  
FILISBERTO GOMES CALDRA  
ANTONIO e AUGUSTO DA SILVA.

By order of Their Excellencies, JONATHAS ABBOTT.

This Passport, numbered Five, authorizes any number of Slaves not exceeding six hundred and seventy-five, being five heads per two tons, as permitted by the Alvara of the 24th of November, 1813, to be on board of this Ship at one time, excepting always the Slaves



employed as Sailors or Domestics, and children born on board during the voyage.

FRANCO E LISBOA PIRES DE CARV e ALBUQUE P.

JOAQUIM JOZE PINHEIRO DE VASCO S.

ANTONIO e AUGUSTO DA SILVA.

MANOEL GONSALVES MARIA BETENCOURT.

FILISBERTO GOMES CALDEIRA.

By Order of Their Excellencies.

JONATHAS ABBOTT.

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(Enclosure 2.)—*Declaration of the Captor of the Minerva.*

I HEREBY declare that the *Portuguese Ship Minerva*, of Bahia, under Colours called by the crew *Brazilian*, and furnished with Papers purporting to be of the same Country, (but which are unknown to me as any national Flag or Papers,) was boarded and temporarily detained by His Majesty's Ship *Bann*, under my command, on the 30th January, 1824, for further investigation into the very suspicious circumstances under which I found her, she being, evidently and without a doubt, engaged in the Slave Trade at Lagos, in the Bight of Benin, Latitude 6° 26' 30" North; Longitude 3° 46' East; furnished with a Passport to carry 675 Slaves from Molembo, by the Authorities of Bahia, acting under the Individual who styles himself *Emperor of Brazil*, but which Individual has never been, to my knowledge, recognised as such by His Majesty or His Government, consequently not qualified to grant Passports according to the provision of the 4th Article of the Treaty of the 22nd January, 1815, which expressly provides that every *Portuguese Vessel* must be furnished with a Royal Passport, and further provides by whom such Passport is to be signed at the several Ports or Places from which Vessels employed in the Legal Traffic in Slaves shall be fitted out.

I further declare that the Passport in question is informal in several other respects, which will be seen in the proper Court on Inspection. I will merely state its being sealed with Arms called the Imperial Arms of Brazil, instead of the Royal Arms of Portugal; the crew, calling themselves Brazilians, are certainly nothing more nor less than the rebellious subjects of His Most Faithful Majesty.

I further declare that in consequence of the Master of the *Minerva* being on shore at Lagos, as well as the Master of two other Portuguese vessels detained at the same time and place, I despatched the first Lieutenant (after waiting in vain for more than 24 hours in expectation of seeing them,) to communicate with the above Masters, and request they would return on board, in order that I might have a better opportunity of examining the business, and also of affording them an opportunity of explaining or clearing up what I considered sufficient grounds for the detention of their Vessels; that soon after the

first Lieutenant's arrival in the River Lagos, and near the factory where the Slaves purchased by the *Minerva's* cargo were deposited, a piratical, wanton, and furious attack was made upon the boats from the Portuguese and Natives, infuriated with the aquardente distributed among them; that the first Lieutenant, (Mr. Amsenck,) after an engagement of considerable time, finding his men were very fast dropping, and having already lost one killed, the second Lieutenant and six others wounded, without any apparent chance of success against a force so much superior, returned on board.

I further declare, in consequence of the informality and total invalidity of the Passport, the Vessel being fitted in all respects for the reception of Slaves, and being nominally destined for Molembo, but manifestly intended to complete her cargo at Lagos, I have sent her to Sierra Leone for adjudication in the Court of Mixed Commission.

I have not had it in my power to furnish the Master with the Certificate of the seizure of his Papers, as required by the 8th Article, in consequence of his non-appearance.

G. H. C. COURTENAY, Commander.

His Majesty's Ship *Bann*, off the River Lagos, 1st February, 1824.

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(*Enclosure 3.*)—*Memorandum regarding the Brazilian, or Portuguese, Ship, Minerva.*

The "*Minerva*" belonged to Bahia; was owned by João Victor Moreira of that Place; was commanded by Manoel Joaquim de Almeida; had a crew of thirty-nine persons, including the Master. She had a cargo consisting of tobacco, aquardente, and piece goods; was fitted out for the Slave Trade, and was furnished by the Provisional Government of Bahia, acting under the authority of the *Emperor of Brazil*, with a Passport, dated the 12th of November, 1823, authorizing a voyage to Molembo for Slaves, by the way of the Islands of Saint Thomas and of Princes'. She was allowed to carry 675 Slaves, being the number proportioned to her burden of 270 tons. From Molembo, the "*Minerva*" was to proceed to Rio de Janeiro, by the way of Bahia.

The *Minerva* sailed from Bahia, under the Brazilian Flag, on the 14th of November, 1823, and was detained off the River Lagos in Latitude 6° 26" North, Longitude 3° 46" East, on the 30th of January, 1824, by His Majesty's Ship "*Bann*," Captain Courtenay. The Master of the "*Minerva*" was on shore at Lagos when she was detained, and he was left there when the Vessel was sent to Sierra Leone by the Captor. The "*Minerva*" arrived at Sierra Leone on the 24th of March, 1824.

*Memorandum respecting the Brazilian, or Portuguese, Brig "Cerqueira."*

The *Cerqueira* belonged to Bahia; was owned by Joze Cerqueira Lima; was commanded by Manoel Cardozo dos Santos; had a Crew

of 42 persons, including the Master; was armed with eighteen guns, twelve pounders. She had a cargo of tobacco, aquardente, and piece goods; was fitted out for the Slave Trade, and was furnished with a Passport by the Provisional Government of Bahia, acting under the authority of the *Emperor of Brazil*, dated the 29th of October, 1823, authorizing a voyage to Molembo for Slaves, by the way of the Islands of St. Thomas and of Princes. She was allowed to carry 761 Slaves, being the number proportioned to her burden of 304½ tons. From Molembo the "Cerqueira" was to proceed to Rio de Janeiro by way of Bahia.

The Cerqueira sailed from Bahia, under the Brazilian Flag, on the 7th of November, 1823, and was detained off the River Lagos, Latitude 6° 26" North, Longitude 3° 46" East, on the 30th of January, 1824, by His Majesty's Ship "Bann," Captain Courtenay. The Master of the "Cerqueira" was on shore at Lagos when she was detained, and was left there when she was sent to Sierra Leone by the Captor. The Cerqueira arrived at Sierra Leone on the 15th of March, 1824.

*Memorandum respecting the Brazilian, or Portuguese Schooner,  
"Creola."*

The Creola belonged to Bahia; was owned by Vicente de Paola e Silva, of that Place; was commanded by André Pinto de Silveira; had a Crew of 26 Persons, including the Master. She had a cargo of tobacco, aquardente and piece goods; was fitted out for the Slave Trade; was allowed to carry about 350 Slaves; sailed from Bahia, under the Brazilian Flag, on the 29th of October, 1823, with a professed destination for Molembo for Slaves. From Molembo, the "Creola" was to proceed to Rio de Janeiro, by the way of Bahia.

The "Creola" was detained off the River Lagos, Latitude 6° 26" North, Longitude 3° 46" East, on the 30th of January, 1824, by His Majesty's Ship "Bann," Captain Courtenay. The Master of the "Creola" was on shore at Lagos when the "Creola" was detained, and he was left there when she was sent to Sierra Leone by the Captor. The Creola arrived at Sierra Leone on the 1st of April, 1824.

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No. 46.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. July 14.)  
SIR, *Sierra Leone, May 20, 1824.*

IN our Despatch of the 23rd ultimo, we had the honour to report to you the circumstance of the detention of three Vessels under the Brazilian Flag, by His Majesty's Ship, *Bann*, Captain Courtenay.

We stated that these Vessels were, at the date of our Despatch, at liberty to depart from Sierra Leone, in consequence of dispositions made with the principal Officers on board of them, by the Proctor for the Captor.

These Vessels quitted Sierra Leone on the 29th of April. Their

People said that they should go back to Lagos in quest of the Masters of the Vessels who had remained there when the Vessels were captured, and sent hither for adjudication.

We conceive it to be probable that an endeavour will be made to take on board at Lagos, and convey to Bahia, or Rio de Janeiro, the Slaves that were in readiness to be embarked when the capture took place.

We have now the honour to report to you, Sir, the circumstance of the adjudication of a Brig, under the Brazilian Flag, named the "*Bom Caminho*."

This Brig was taken in Latitude 1° 43' North, Longitude 3° 33" East, on the 10th of March last, by His Majesty's Ship *Bann*, commanded by Captain *Woolcombe*, with 334 Slaves on board, whilst proceeding on her homeward voyage to Bahia. The Slaves were acknowledged by the Master and Surgeon of the Brig, on their examination in the Mixed Court, to have been taken on board at Badagary, in the Bight of Benin, to the Northward of the Equator. This acknowledgment was sufficient for the condemnation of the Vessel; and, accordingly, she was sentenced to be condemned, and her Slaves to be emancipated. We beg leave, Sir, to enclose herewith a short *Report* of the principal facts of this Case for your further information.

In this Case we have borne in mind the desire expressed in your Despatch of the 17th of November, 1823, that we should cause to be inserted in the Sentences of Condemnation under the Commissions, a Clause, stating whether any and what number of Slaves were seized and found on board of Slave Ships, at the time of their detention and capture.

We have been satisfied, from the evidence given in this Case, that 334 Slaves were on board of the "*Bom Caminho*," at the time of her detention by His Majesty's Ship *Bann*; and the Acting Registrar has received directions to insert a clause in the Sentence of Condemnation in the Case, recording our opinions on this point.

You will observe, Sir, in the enclosed Report, that the Slave Trading Passport of the "*Bom Caminho*," authorized that Vessel to proceed from Molembo to Rio de Janeiro, by the way of Pernambuco and Bahia.

We omitted, contrary to our intention, to bring particularly under your notice in our Despatch of the 23d ultimo, the fact that the *Three* Slave Vessels therein mentioned had permission to proceed with their Slaves from Molembo to Rio de Janeiro, by the way of Bahia.

In the "Printed Correspondence with Foreign Powers relative to the Slave Trade, presented to both Houses of Parliament by command of His Majesty, in the month of July, 1823," we find, at pages 92 and 95, (Class A.) that the attention of Mr. *Chamberlain*, His Majesty's



Consul-General at Rio de Janeiro, and of Mr. Pennel, His Majesty's Consul at Bahia, had been turned to suspicious circumstances connected with the voyage to *Rio de Janeiro from Bahia* of two Slave Ships, named the "*Desengano*" and "*Toninha*," and that Mr. Chamberlain expressed his regret to the late Marquis of Londonderry, "that the Trade in Slaves to the North of the Line continued to be successfully carried on by the shipping from Bahia, whose merchants had begun to supply Rio de Janeiro with Negroes from Calabar, and other Countries in that part of Africa."

The circumstance that the four Slave Ships that have lately been brought hither for adjudication, were allowed to proceed with their cargoes of Slaves to Rio de Janeiro from Bahia, must prove how well founded were Mr. Chamberlain's suspicions, that the merchants of Bahia supplied that Capital with Slaves *illegally acquired by them*. We suppose that these four Ships were to proceed to Bahia, in the first instance, the better to screen, by going through official forms there, the illegal character of their voyage from those disposed to inform against them at Rio de Janeiro.

Another omission in our above Despatch, and for which, Sir, and for the omission above mentioned, we beg your indulgence, was that we did not mention particularly the circumstance that the *Passport* of the "*Minerva*," the "*Cerqueira*," and the "*Creola*," permitted those Vessels to proceed to Molembo by the way of the Islands of Princes, and of Saint Thomas. His Majesty's Commissioners have again and again felt it to be their duty to notice to superior Authority the abuse that has been made of such permission; and once more they beg leave to notice that abuse in the instance of these Vessels, aware, as they are, of the representations that have been made by you, Sir, on this subject, to the Government of His Most Faithful Majesty.

We have the honour to be, &c.

E. GREGORY.

D. M. HAMILTON.

*The Right Hon. George Canning.*

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(*Enclosure.*)—*Report of the Case of the Brazilian, or Portuguese Brig, Bom Caminho, Joaquim Luis d'Araujo, Master.*

This Vessel was brought to Sierra Leone on the 24th of April, 1824, with 327 Slaves on board. She was captured, with 334 Slaves, on the 10th of March, 1824, in Latitude 1° 42' North, Longitude 3° 23' East, by His Majesty's Ship Bann, Captain Woolcombe. Seven Slaves died after the capture, on the voyage to Sierra Leone.

The Papers of the Bom Caminho were brought into the Registry on the 27th of April. A Monition was issued on the 28th of April, citing the Parties interested in the Case to appear before the Court. The Slaves, at the instance of the Captor, and with the consent of the Master of the Brig, were landed on that day.

It appeared on an examination of the Papers of the *Bom Caminho*, that she sailed under the Brazilian Flag; was owned by Thome Alphonso de Moura, of Bahia; was commanded by Joaquim Luis d'Araujo; and that she had a Crew of Twenty-seven Persons, including the Master. It appeared that she was furnished with a Passport by the Provisional Government of Bahia, acting under the authority of the Emperor of Brazil, dated the 27th of November, 1823, authorizing a voyage to Molembo for 506 Slaves, being the number proportioned to her alleged burden of 202½ tons; and stating that she was to proceed from Molembo to Rio de Janeiro by the way of Pernambuco and Bahia. Her outward cargo consisted of tobacco and aquarente. The *Bom Caminho* sailed from Bahia on the 9th of December. She made Cape Palmas, Latitude 4° 26' North, on the 20th of January, 1824. On the 29th of January she was boarded off Elmina from His Majesty's Ship *Owen Glendower*, and taken to Cape Coast, where Captain Woolcombe, the Commander, at that time, of the *Owen Glendower*, endorsed her Papers, and warned the Master not to traffic in Slaves to the Northward of the Equator.

The Master and Surgeon of the Brig were examined on the Standing Interrogatories. They both acknowledged that the Slaves found in the Vessel by the Captor, were taken on board at Badagary in the Bight of Benin, to the Northward of the Equator.

On the 15th of May, the Commissioners met in Court on this Case. No Claimant appeared for the Vessel. Sentence of condemnation was passed against her, and her Slaves were decreed to be emancipated. The Commissioners decreed that 334 Slaves were on board of the *Bom Caminho* at the time of her capture.

E. GREGORY.

D. M. HAMILTON.

*Sierra Leone, May 20, 1824.*

No. 47.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, August 6, 1824.*

In reference to that part of your Despatch of the 23d of April, of this year, (marked Portugal,) wherein you request Instructions for your guidance, in the case of Vessels sailing under the *Brazilian Flag*, and furnished with a Brazilian Passport, being brought in for adjudication under the Court whereof you are Members; I have received the King's Commands to state to you, that your Proceedings in the Case of the *Bom Caminho*, as detailed in your Despatch of the 20th of May, 1824, have met with His Majesty's approbation.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 48.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 2.)

SIR,

*Sierra Leone, August 5, 1824.*

HIS Majesty's Ship "*Victor*," commanded by Captain *John Scott*, captured on the 8th of May last, off Princes' Island, a Schooner-boat named the "*Maria Piquena*," that was on its return to the Island from the River *Gaboon* with a cargo of Seventeen Slaves, some ivory, gum, and bees-wax. The Schooner-boat was about twenty-two feet long, and of about four or five tons burden; Captain Scott stated in his declaration that she was filled, within eighteen inches of her hatches, with ivory, &c., so that no human being could be admitted under the deck except in a sloping or laying position.

The Schooner-boat was chased, according to Captain Scott, from seaward; the Crew endeavoured to run her aground, but were prevented from so doing by the English boats in chase; they contrived, however, to land on Princes' Island Six Slaves from the Schooner-boat; the Captors, on taking possession of her, found Eleven Slaves on board.

Upon the representation of Captain Scott, the Six Slaves of the "*Maria Piquena*," that had been landed on the Island by her Crew, were delivered up to Captain Scott by the Government of Princes'. Captain Scott stated in his Declaration that all the Slaves of the Schooner-boat were in a state of starvation, and that one Slave died a few hours after the Vessel was seized.

Captain Scott left the Schooner-boat in the charge of the Government of Princes' Island to await the decision of the Mixed Court at Sierra Leone: as she was unfit to perform the Voyage hither, Captain Scott put the Slaves on board of a Brig that he had seized, named the "*Vencedor*," and giving the Papers of the "*Maria Piquena*" to the Prize Master of the "*Vencedor*," he despatched the latter Vessel to this Place.

The "*Vencedor*" arrived at Sierra Leone on the 31st of May. On the 9th of June, the Papers of the "*Maria Piquena*" were given into the Registry. On the 22nd of that month, the Master and a Seaman of that Vessel were examined on the Standing Interrogatories: their evidence afforded proof of the illegality of the voyage of the "*Maria Piquena*." It was confessed that the Slaves that had been found on board of the Schooner-boat by the Captors, had been purchased at the River *Gaboon*, to the Northward of the Equator.

Mr. Hamilton's engagements, as Acting Governor of this Colony, prevented a Court being held for the decision of this Case until the 14th of July. On that day, Sentence of condemnation was passed against the "*Maria Piquena*." Eleven Slaves were decreed to have been found on board at the time of the seizure and detention of that Vessel: those Slaves were emancipated under the Treaty, and delivered over to the Colonial Government.

I have the honour to enclose herewith, for your more particular

information, a *Report* of the Case of the "*Maria Piquena*," (Marked A.)

A great number of Letters, written by Persons at the River Gaboon to their friends at Princes' Island, were found on board of the "*Maria Piquena*," by the Captors, and were given into the Registry with the Papers of that Vessel. The greater part of these Letters were on trivial subjects: a few disclosed that the illegal Slave Traffic betwixt this Continent and Princes' Island was still openly and shamelessly carried on by the Chief Authority, and by the Subordinate Officers of that Island.

I have selected such Letters as disclosed the pursuits of their writers and of the friends of those writers at Princes' Island. From the style of these Letters it would not appear that there existed in that Island the least proper feeling in regard to the illegal Traffic in Slaves. I beg leave to enclose herewith Copies of these Letters, (marked B.) with their Translations into the English language.

The first Letter is addressed to Joze Xavier Gonzaga de Silva, the President of the Governing Junta of Princes' Island. The writer of this Letter was, at its date, at the River Gaboon, in a Schooner belonging to Princes' Island. The Letter shews him to have been ready to engage in a commerce of a licit or illicit nature, as it promised to be most advantageous to his pecuniary interests, or to the pecuniary interests of his employer, who, it may not be unfairly inferred from the general style of the Letter, was the President of the Junta of Princes' Island. In the Postscript of this Letter, you will observe, Sir, that the writer says that "he had spoken to Senhor Leonardo (the Master of the "*Maria Piquena*") about the ivory; that Leonardo would not pay him on account of the old debts, and that he could only get from him two Slaves, which he then sent." I have been informed by the Master of the "*Maria Piquena*," that these two Slaves were actually on board of that Vessel at the time of her capture by the "*Victor*." The writer of this first Letter acknowledges the receipt of sundry articles of merchandise that had been sent to him by De Silva. The Paper No. 2, contains the invoice of this merchandise, as made out by De Silva, and establishes proof of the connexion that existed betwixt himself and his correspondent at the Gaboon.

The Letter No. 3, is addressed by Joao Borges de Silva to his brother at Princes' Island, and confirms the suspicions raised in regard to the illegal Slave-trading designs of its writer.

By the Letter No. 4, it appears that "a black boy was sent by the Schooner-boat, for whom freight was to be paid," by the Person to whom the Letter was addressed. The Master of the "*Maria Piquena*" has informed me that this boy was on board of his Vessel when she was captured. Of course, therefore, the boy was intended



for Princes' Island, although there is not any particular address on the Letter.

The Letter No. 5, relates to a past transaction, apparently of a Slave-trading nature.

I enclose the Letter No. 6, merely, Sir, that you may see that Trade is the business even of the Clergy of Princes' Island. I much suspect that the ten or twenty ivory teeth spoken of by the writer of that Letter, mean ten or twenty Slaves, for the purchase of which he would not charge his friend with a commission.

To these Letters I beg leave to add a seventh, (C.) which, Sir, is well worthy of notice when contrasted with the Letter No. 1, in particular, and with the other Letters, which shew that the Government of Princes' Island is any thing but active, as it asserts itself to be, in suppressing the illicit Slave Trade. The Letter of which I here make mention was addressed by the Persons composing the Junta of Government, at Princes' Island, to Captain Scott, on the occasion of Captain Scott's representation to them of the capture of the "Maria Piquena." Captain Scott forwarded that Letter with the Papers of the Schooner-boat. The first signature to the Letter, is that of Joze Xavier Gonzaga de Silva, the President of the Junta, and the Person to whom the Letter No. 1 is addressed.

It will be needless for me, Sir, to draw your attention to the state in which the Slaves of the "Maria Piquena" were found by the Captors. The attention of every feeling mind, upon a knowledge of the facts of the Case, must be drawn to that state.

I understand from the Master of the "Maria Piquena," that a new Governor from Portugal was expected at Princes' Island, in the month of February last. Perhaps the presence of a Governor, a stranger to the place, may be some check upon the pursuits of the illegal dealers in Slaves.

I have the honour, &c.

*The Right Hon. George Canning.*

E. GREGORY.

(*Enclosure A.*)—*Report of the Case of the Portuguese Schooner-boat, "Maria Piquena," Leonardo Guaresma, Master.*

THIS Vessel was detained on the 8th of May, 1824, off Princes' Island, by His Majesty's Ship *Victor*, commanded by Captain Scott.

The Declaration made by Captain Scott, at the time of the detention of the "Maria Piquena," stated, that "he, Captain Scott, boarded and seized that Vessel at about four or five miles' distance from the harbour of Port Antonio, Princes' Island, after chasing her from Seaward; that, in the chase, she succeeded in landing six of her Slaves, which landing was distinctly seen; that, on taking possession of her, eleven Slaves were actually found on board; that they had been pro-

secured at the River Gaboon, which is twenty-seven miles to the Northward of the Equator; that the six Slaves which had been landed were recovered from the Governor of Princes' Island, upon a representation made to him that the unfortunate Creatures, seventeen in number, were in a state of starvation; that one of the number died a few hours after the Vessel was seized, and several were in such a reduced state as to leave small hopes of their recovery."

Captain Scott's Declaration further stated, that "the 'Maria Piquena' was, originally, a Ship's long-boat, about twenty-two feet long, and of about four or five tons burden; that she was filled, within eighteen inches of her hatches, with ivory, bees-wax, and gum copal, which precluded the possibility of admitting any human being under the hatches, unless in a sloping or laying position."

In a Certificate of Captain Scott, it was stated, that "the 'Maria Piquena' had been delivered over to the Governor of Princes' Island, to be taken care of until the decision of the Court of Mixed Commission at Sierra Leone should be known, owing to her being unsafe and unfit, in every way, to perform the voyage to Sierra Leone; that the Negroes had been removed to the 'Vencedor,' a Brig that had been detained by the 'Victor,' in order to their being sent to Sierra Leone with the Papers of the 'Maria Piquena.' It was not stated in what manner the ivory, gum, and bees-wax, found on board of the Schooner-boat had been disposed of."

The Brig "Vencedor" arrived at Sierra Leone on the 31st of May, 1824. Some of the Slaves of the "Maria Piquena" died on the passage.

The Papers of the "Maria Piquena" were not given into the Registry by the Agent for the Captors until the 9th of June. On the 14th of June, a Monition was directed to be issued, citing all Parties interested in the Case to appear in proper time before the Court. On the 22d of June, the Master and a Seaman of the "Maria Piquena" were examined on the Standing Interrogatories.

The Master, Leonardo Guaresma, deposed that the "Maria Piquena" belonged to himself; that she was under Portuguese Colours, and had five Seamen on board; that the voyage began at Princes' Island, and was to have ended there; that the last place they sailed from was the Gaboon-River, where he took on board Slaves, gum, wax, and ivory.

The Seaman deposed to the same effect as the Master of the Schooner-boat.

The Monition in this Case was returned into the Registry on the 25th of June.

On the 14th of July, the Commissioners decided upon the Case. The only point that had presented itself to their notice, was that of the particular place of the detention of the Schooner-boat by the "Victor." The Captor had stated in his Declaration, that the detention had

taken place at four or five miles' distance from the harbour of Princes' Island. The Master of the Schooner-boat had deposed on his examination on the Standing Interrogatories, that "she was taken close to the harbour of St. Antonio, by one of the Man of War's boats." The Seaman had said that "they first saw the capturing Ship at anchor in Princes' Island harbour; that they were taken close to the Fort Saint Antonio by a boat belonging to the Man of War; that they tried to pull in shore to get aground, but the boat overtook them."

The Seaman here admitted that there had been a chase, and that the Schooner-boat was intercepted in her endeavour to gain shore. This admission gave the Commissioners reason to think that the assertion of the Captor, as contained in his Declaration, was mainly proved, and that the detention had not taken place within privileged limits.

The Slaves found on board of the "Maria Piquena" having been purchased to the Northward of the Equator, rendered her voyage illegal, and, accordingly, she was condemned as Prize to the Crowns of Great Britain and Portugal.

The Captor having stated in his Declaration, that six Slaves were landed from the "Maria Piquena" during her chase by him; and that he only found eleven Slaves actually on board when he took possession of her,—the Commissioners decreed that eleven Slaves only were seized, and found on board of the "Maria Piquena" at the time of her capture; and further decreed those eleven Slaves only to be emancipated from Slavery under the Treaty.

The Captors, on bringing the Papers of the "Maria Piquena" into the Registry, did not give any account of the manner in which the ivory, bees-wax, and gum, found on board of that Vessel had been disposed of. The Court, on passing sentence of condemnation against the Vessel, directed the Registrar to inquire respecting this matter, and to report to the Court the result of his inquiries. The Acting Registrar reported to the Court, on the 27th July, that he had received from the Prize Agent of the Brig "Vencedor," five escrevelloes (small elephant's teeth,) weighing thirty-four pounds; two teeth of ivory, weighing forty-six pounds, with three hundred and eight pounds of bees-wax. The gum that was found on board of the "Maria Piquena" was not accounted for.

Sierra Leone, August 5, 1824.

E. GREGORY.

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(Enclosure B.)—Copies and Extracts of Letters relating to the Portuguese Schooner-Boat, Maria Piquena. (Translation.)

(1) Prince Will, April 27, 1824.

MOST ILLUSTRIOUS Lieut. Col. Jozé Xavier Gonzaga de Silva.—

IN the first place, I wish that this Letter may find your Honour and the most illustrious Ladies, Dona Maria Rodriguez, and Dona Maria da Cruz, in the possession of perfect health.

I have to inform your Honour that I was ten days on the voyage to St. Thomas', and that I delivered to Senhor Paula all that your Honour sent to him. I left the Island in three days for this River, where I arrived on the 15th of this month. I found the River so full of every thing, that no notice was taken of us. There is at present in the River some ivory, but very dear, so that up to this time I have only four hundred and odd pounds of that article. A great deal of ivory has been brought on board of my Vessel; but the prices, and the circumstance of their requiring arms, had prevented me from buying. I shall see this week, whether I can purchase some ivory, although they (the Natives) may ask dear for it. For one tooth they want three or four arms. The Frenchman, alone, in my sight, bought more than two thousand pounds of ivory; and he paid for one tooth, weighing fifty pounds, seventy fathoms (of cloth,) as he had not any arms. There are not any escrevelloes, nor a single pound of gum; and no one will take goods to procure any, as they are accustomed to take and leave pawns. Two or three days pass without our seeing a single canoe alongside. The Frenchman has filled the River with cloths, aquardente, &c.; and, on the other side of the River, the Vessel from Bahia, pays seventy fathoms (of cloth or of other goods having the same value) for a Slave. The Frenchman pays seventy-five, and in different articles. The Port of Prince Will is worse than that of Guabene. Sir, there is nothing but the canoe of the Son of Prince Will coming on board for aquardente and tobacco, and if these are not given there is disorder. Senhor Leonardo will explain this better to your Honour. May God preserve your Honour many years.

Your Servant,

JOAO BORGES DE SILVA.

P. S. I spoke to Senhor Leonardo about the ivory; he will not pay me, on account of the old debts. I could only get from him two Slaves, which I now send. Prince Will, until now, has not given me any thing. I have received from Senhor Leonardo, seven large cloths, one hundred and thirty-three pounds of tobacco, one small cloth, one iron pot, as also the articles mentioned in the invoice which your Honour gave to him, viz.; fifty cloths, twenty pieces of romall, ten of calico, ten of blue cloth. I supplied Senhor Leonardo with one bottle of oil, one goat, and eleven and half fathoms of cloth, besides one hundred fish. Up to this day, the 1st of May, I have got six hundred and odd pounds of ivory, but no gum.

I have been rather unwell from the time of my leaving the Island until now.

*Prince Will, May 1, 1824.*

J. BORGES.



(2.)—*Invoice of goods delivered to Senhor Leonardo, to be disposed of in the River Gaboon for the account of whom it may concern.*

50 African cloths dol <sup>s</sup> . 2 .....	R <sup>s</sup> . 100,000
20 Pieces of romall, 3,200 .....	64,000
10 Half pieces of calico, 2,400 .....	24,000
10 Pieces of blue cloth, 2,400 .....	24,000
	<hr/> 212,000

To be exchanged for 353 lbs. of ivory, at 600 Reis 211,800

*Princes' Island, February 16, 1824.*

XAVIER DE SILVA.

(3.) Senhor Manoel Gomes da Silva, Ensign of the Regiment of Princes' Island.

My dear Brother,

IN the first place, I wish that this Letter may find you free from sickness, and in perfect health, in company of Donna Maria Rodriguez, my gossip.

I am very sorry for my ingratitude on the occasion of your sickness; and I ask your pardon, as our friendship must not allow of disagreements. I have been sick since I left the Island, troubled with fevers, and exposed to the rain.

With respect to trade, my Brother, you know that it cannot be worse. Where Frenchmen are paying seventy-five, and Portuguese, from Bahia, at Guabene, paying the same for each Slave, besides trifles, presents, &c., Ships from the Island cannot do any thing. Remember me to brother Ribeiro, to Maria Jozé, to gossip Jeronimo, to our grandfather, and to our father. May God preserve you many years.

Your Brother,

J. B. DE SILVA.

(4.) Most Illustrious Lieut. Francisco Martinez Xavier,

I WISH that this Letter may find you in as perfect health as I desire you to be. Sir, receive from the hands of Leonardo, Master of the Schooner, a black Boy of mine, and be so good as to pay to Leonardo freight for the same. MANOEL RODRIGUEZ FURTADO.

(5.) *River Gaboon, April 30, 1824.*

Most Illustrious Capt. Antonio Jozé Francisco do Baros.

WITH respect to the Slaves that I sent by the Schooner "Magdalena," one was a Boy, who, your Honour well knows, I exchanged with Senhor Joao Borges; and one was for a palaver that I had in the presence of the Crew of the "Magdalena."

I am now ready to go to the Island, when the Schooner "Magdalena" may come; I cannot remain longer here. I have two hundred and thirty pounds of ivory, which I shall take with me.

MANOEL GOMES PRIETO.

(6.) Most Illustrious and Most Reverend Father, Vicar Jozé Gomes d'Andrade.

I RECEIVED your Reverence's Letter with much pleasure, as it informed me of your health. May God continue to your Reverence those felicities which your Reverence may desire. I received the cloth, the candle, and the other things, for which I am very grateful. The candle was short by one half, as the English, who are also afraid of tornadoes, took half of it when they searched the Vessel. I do not send the wax about which your Reverence speaks, as I have not any yet, being without goods; but I will take care to buy some, and your Reverence shall not remain without any. With regard to the exchange of cakes, your Reverence need not think of it. With respect to commission, does your Reverence wish me to commit an offence? Let not your Reverence think of commission—never, even when I should buy ten or twenty teeth, or any thing else. I am not capable of charging your Reverence with commission, as your Reverence well knows that I have the honour to be your Servant—and a Servant who has received many favours from you. Your Reverence may believe that I shall cheerfully endeavour to fulfil your orders, if not on the instant, when circumstances will permit. I now send by Senhor Leonardo a bottle filled with leeches. I did not send any before, as I did not know that your Reverence wanted them. I do not send any thread, but will send some by the first opportunity. I remain in health, thank God, and ready for any thing that you may order. May Heaven preserve your Reverence many years. I am with consideration,

Your Reverence's

Venerating and obliged Servant,

MIGUEL DOS ANJOS POLICARPO.

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(Enclosure C.)—*The Junta of Princes' Island to Capt. Scott.*  
(Translation.)

THIS Government received your Despatch of the 9th instant. As there was not in this Island any Person conversant with the English language, the Officer who brought the Despatch read it, and explained to us that you had detained, at five miles' distance from this Island, a decked Launch, named the "Maria Piquena," and owned by Leonardo Guaresma, which left this Place in February, bound to the Gaboon for ivory and wax; and which was, on the 8th instant, on its return with some Slaves. The Officer further explained to us, that you had detained the said Schooner in consequence of the illicit Traffic in which her Master, Leonardo Guaresma, had been engaged, and that you would leave her with this Government, with the articles belonging to her, mentioned in the list signed by yourself, until the decision of the Court at Sierra Leone should be known.

We inform you that the said Launch has been delivered to this Government.

We cannot but remark the effrontery of the Master of the Launch in daring to engage in a Traffic of a contraband nature, when he well knew that he could not come to this Island in defiance of the existing Treaty, and of the Papers under which he sailed.

If it was the intention of the Master to land the Slaves outside of the Harbour, or at any other place, he was deceived; as our vigilance being so active in regard to this contraband Traffic, we ourselves would be his executioners to punish him for his crime, and the Slaves would be disposed of according to the Treaty.

May Heaven preserve you many years.

At the Assembly of the Government of the Capital and Island of Princes'.

JOZÉ XAVIER GONZAGA DE SILVA.  
BERNARDO JOZÉ RAPOZA.

10th of May, 1824.

JOZÉ GOMEZ D'ANDRADE SILVA.

Capt. Scott, Commr. of the Victor Schooner.

No. 49.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, November 30, 1824.*

I SEND herewith to you the Copy of a Despatch dated the 27th of August last, and of its Enclosures, which I have received from His Majesty's Consul-General in the Brazils,\* containing an assurance from the Minister of State in that Country, that in taking the *dimensions of Vessels* fitted out for Slave Trade, a method shall henceforth be observed of measuring by some fixed and regular Tonnage, which may guard against the inconvenience of shipping an excessive quantity of Slaves in a given quantity of Tons admeasurement, as exemplified in the Case of the *Nova Sorte*, and commented upon in your Despatch, marked Portugal, of the 8th of June, 1823.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

P. S. I send to you also, for your information, the Copy of a Despatch, and of its Enclosures, from Mr. Chamberlain, dated the 18th of September, upon the same subject.\*

No. 50.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Jan. 13.)

SIR,

*Sierra Leone, November 5, 1824.*

WE had the honour to receive on the 23d of September last, the Despatch in which, with reference to the Instructions requested by us, in the case of Vessels sailing under the *Brazilian* Flag and furnished with a Brazilian Passport, you are pleased to state, that our proceedings in the Case of the *Bom Caminho*, as detailed in our Despatch of the 20th May last, Portugal, had met with His Majesty's approbation. We

\* See Class B.

feel happy, Sir, at this intelligence, and we shall take the Case of the *Bom Caminho* as a precedent for our guidance in Cases of a similar nature that may come before us.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon George Canning.*

D. M. HAMILTON.

No. 51.—*His Majesty's Commrs to Mr. Secy Canning.*—(Rec. March 7.)  
 Sir, *Sierra Leone, January 3, 1825.*

SEVERE illness, with which we have both been visited, in the course of the last Four Weeks, has prevented, and its effects still continue to prevent us, from forwarding to you Reports of the Cases of Three *Brazilian* or *Portuguese* Slave Vessels, that were adjudicated by the British and Portuguese Court of Mixed Commission, in the month of November last,

We hope to be enabled to form, and to despatch these Reports to England in a few days; in the meantime, we trust that the reason herein mentioned will be a sufficient excuse with you, Sir, for our not having transmitted them at an early period after the adjudication of the Vessels to which the Reports will relate.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 52.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
 GENTLEMEN, *Foreign Office, March 16, 1825.*

IN reference to my despatch to you, of the 30th of November last, on the subject of the *over-rating in Tonnage*, of Vessels employed in the legal Slave Trade, I transmit herewith to you, for your information, the Copy of a Despatch dated the 11th of December, which I have recently received upon the subject from His Majesty's Consul General in Brazil, and of the answer which, by His Majesty's Command, I have this day returned thereto.\*

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

## SIERRA LEONE. (*Netherlands.*)

No. 53.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
 GENTLEMEN, *Foreign Office, May 28, 1824.*

I HAVE to acquaint you, for your information, and that of the other Members of the Board forming your Commission, that His Ma-

\* See Class B.



jesty's Ship *Thetis*, of 46 guns, commanded by Captain *Sir John Philimore*, has been furnished with the *Instructions* annexed to the *Treaty* of the 4th of May, 1818, between His Majesty and the King of *The Netherlands*, for the prevention of the Traffic in Slaves.

I am, &c

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 54.—*Mr. Secy. Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, May 30, 1824.*

I HAVE to acquaint you, for your information, and that of the other Members of your Commission, that the *Instructions* annexed to the *Treaty* between His Majesty and The King of *The Netherlands*, for the prevention of the Slave Trade, have been issued to the following Ships and Vessels of His Majesty's Navy: viz.—

Ship's Names.	Guns.	Commanders.
Gloucester - - -	74 - -	George E. Rich.
Owen Glendower - -	42 - -	Sir Robert Mends.
Ariadne - - - -	26 - -	Const. R. Moorsom.
Victor - - - -	18 - -	Thomas Prickett.
Swinger, G. B. - -	12 - -	Lieut. John Scott.

And, that the *Instructions* which had been issued to the *Iphigenia*, *Sybille*, *Tamar*, *Tees*, *Tyne*, *Thistle*, and *Snapper*, have been recalled and cancelled.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 55.—*His Majesty's Commrs. to Mr. Secy. Canning. (Rec. June 20.)*

SIR,

*Sierra Leone, April 5, 1824.*

WE regret to inform you of the death of M. De Marrée, His Netherlands Majesty's Judge in the British and *Netherlands* Mixed Court at this Place. This event occurred on the 2d instant.

The immediate cause of M. de Marrée's death was the fever of this Country; but he had for some time suffered much from a constitutional disorder.

We respectfully beg leave to submit to your consideration, whether it may not be well that the Government of His Majesty the King of *The Netherlands* should be informed through you, Sir, of M. De Marrée's death, as that Government cannot receive any direct information of this event from this Colony.

M. De Marrée's Public Papers will be lodged in the Registry of the Mixed Court, until the arrival of a Netherlands Commissioner:—his private Papers and Effects will be disposed of, under the direction of the Court of the Ordinary of this Colony.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

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No. 56.—*His Majesty's Comms. to Mr. Secy. Canning.*—(Rec. July 14.)  
 SIR, *Sierra Leone, May 18, 1824.*

WE have the honour to report to you, that *Mr. Hamilton* has formally entered upon his Appointment of Arbitrator in the British and *Netherlands* Mixed Court of Justice.

Having concerted with the acting Chief Justice of the Colony, *Mr. Kenneth Macaulay*, we met that Gentleman at the Government-house on the 28th of April last. His Majesty's Commission to *Mr. Hamilton* having been read, *Mr. Hamilton* took before the Acting Chief Justice the oath prescribed to him by the Commission, after which a Certificate of this fact was drawn up and signed by the acting Chief Justice.

On the 15th instant, we met at the Mixed Commission Court-house. *Mr. Hamilton* exhibited to the Acting Registrar the Certificate of his having taken the Oath as Arbitrator before the acting Chief Justice. A Copy of the Certificate was taken by the Acting Registrar, to be kept amongst the Records of the Mixed Court. His Majesty's Commission to *Mr. Hamilton* was read in open Court, by the Acting Registrar, and the Court was declared to be open for the despatch of business. A minute was made of these Proceedings.

We have the honour to be, &c.

E. GREGORY.

*The Right Hon. George Canning.*

D. M. HAMILTON.

No. 57.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 2.)  
 SIR, *Sierra Leone, August 4, 1824.*

ON the 1st Ultimo only, *Mr. Hamilton* and myself had the honour to receive your Despatch, marked duplicate, dated the 31st of December, 1823, acquainting us for our information, and for the information of the Gentlemen forming the Board of which we are Members, that a communication had been made to the Court of London, by the *Netherlands'* Ambassador, purporting that The *Netherlands'* Frigate the "*Daagcrad*" (*Aurora*), Captain Van der Hart, bound for the Coast of Guinea and the East Indies, had been furnished with a Copy of the *Treaty* of the 4th of May, 1818, between His Majesty and the King of *The Netherlands*, and of the several Documents annexed thereto.—The original of this Despatch has not been received by us.

A Minute has been made of the information which you have been pleased to communicate to us.

I have the honour, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 58.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Oct 2.)  
 SIR, *Sierra Leone, August 4, 1824.*

MR. HAMILTON and myself had the honour to receive, on the 1st Ultimo, your Despatch of the 6th of May, 1824, acquainting us

for our information and guidance, that *Instructions* under the Treaty with *The Netherlands*, for the prevention of the Slave Trade, had been furnished to His Majesty's Ships "*Isis*," "*Maidstone*," "*Eden*," and "*Surinam*;" and that the Instructions which had been issued to His Majesty's Ships "*Gloucester*," and "*Cyrene*," had been recalled and cancelled. A Minute has been made of this information.

I have the honour to be, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 59.—*Edward Gregory, Esq. to Mr. Secy. Canning.*—(Rec. Nov. 11.)

SIR,

*Sierra Leone, August 31, 1824.*

His Majesty's Commissioners were honoured, on the 19th instant, with your Despatches, dated 28th and 30th of May last.

The first Despatch acquainted the Commissioners that His Majesty's Ship *Thetis*, of forty-six guns, commanded by Captain Sir *John Phillimore*, had been furnished with the *Instructions* annexed to the Treaty of the 4th of May, 1818, between His Majesty and the King of *The Netherlands*, for the prevention of the Traffic in Slaves.

The second Despatch informed the Commissioners, that Instructions under the same Treaty had been issued to His Majesty's Ships "*Gloucester*," "*Owen Glendower*," "*Ariadne*," "*Victor*," and "*Swinger*." And that the Instructions had been recalled and cancelled which had been issued to His Majesty's Ships "*Iphigenia*," "*Sybille*," "*Tamar*," "*Tees*," "*Tyne*," "*Thistle*," and "*Snapper*."

A Minute will be made of these Communications.

I have the honour, &c.

*The Right Hon. George Canning.*

E. GREGORY.

No. 60.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, January 24, 1825.*

I TRANSMIT to you, for your information, the Copy of a Note which the Count de Reede, one of the Ministers of The King of The Netherlands, addressed on the 10th Instant to His Majesty's Ambassador at that Court, acquainting him, for the information of His Majesty's Government, that M. E. P. G. *Bonnouvrié*, the Arbitrator in the Joint Court at Sierra Leone, has been appointed to the Office of Judge in that Court, in the room of the late M. J. A. *de Marrée*.\*

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 61.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, February 28, 1825.*

I SEND to you, for your information, and that of the other Gentlemen forming the Board of which you are Commissioners, the accompanying Copy of a Letter from the Secretary to the Admiralty, giving

\* See Class B.

an account of Ships and Vessels in His Majesty's Navy, which have been furnished with the *Instructions* for Cruizers, referred to in the *Treaty* for the prevention of Slave Trade, concluded between His Majesty and The King of *The Netherlands* on the 4th of May, 1818.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

(*Enclosure.*)—*John Barrow, Esq. to Joseph Planta, Jun., Esq.*

SIR,

*Admiralty Office, February 17, 1825.*

WITH reference to the *Treaty* with *The Netherlands* for the prevention of the Slave Trade, I am commanded by My Lords Commissioners of the Admiralty, to request you will acquaint Mr. Secretary Canning, for communication to the Dutch Government, that the *Instructions* referred to in the said *Treaty* have been issued to the following Ships and Vessels of His Majesty's Navy, viz:—

Ships' Names.	Guns.	Commanders.
Dartmouth - -	42 -	Hon. J. A. Maude.
Atholl - - -	28 -	Jas. A. Murray.
Esk - - - -	20 -	Wm. J. Purchas.
Ringdove - -	18 -	Edwin L. Rich.
Grecian Cr. -	10 -	Lt. John Cawley.

And that the Instructions which had been issued to His Majesty's Ships *Isis*, *Owen Glendower*, *Thetis*, *Eden*, *Driver*, and *Surinam*, have been recalled and cancelled.

I am, &c.

*Joseph Planta, Jun. Esq.*

JOHN BARROW.

No. 62.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, April 4, 1825.*

I HEREWITH send to you, for your information, the Copy of a Despatch from His Majesty's Commissary Judge at Surinam, dated the 6th of February, 1824, containing observations on the state of *The Netherlands' Laws*, as affecting the Captors of Vessels trading illegally in Slaves.

This Paper was forwarded to His Majesty's Ambassador at The Hague, with Instructions to urge the Government of The Netherlands to promulgate some regulations, more favourable than those in force, to the capturing Vessel.

The King of *The Netherlands* has issued, under date of the 14th Instant, a *Decree* to the effect recommended; and I have the satisfaction to send to you, for your information, and that of the other Gentlemen forming your Commission, a Copy of the Despatch, dated the 25th ultimo, from His Majesty's Acting Minister Plenipotentiary at the Court of The Netherlands, and of its Enclosure, in which the purport of this Decree is recorded.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.



## H A V A N N A H.

No. 63.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, February 24, 1824.*

I HAVE to desire, that you will use your endeavours to collect and transmit to me, for the information of His Majesty's Government, the best statements which it may be in your power to obtain, as to the practice respecting the *Manumission* and *free labour* of Slaves, which is described, in the enclosed Memorandum, to exist in the Island of Cuba.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

(*Enclosure.*)—*Memorandum relative to Slaves in the Island of Cuba.*

It is stated, that in the Island of Cuba there exists the following System in favour of Slaves.

That Slaves are generally appraised at 400 dollars; that a Slave paying down the fourth part of his value, or 100 dollars, immediately acquires the right to be *coartados*, that is, that he can work out, paying his Master three reals de vellon, or bits, a day, until he can make a further deposit; or if the Master requires his service, he can oblige the man to work for him, paying the Slave one real; thus a deposit of 200 dollars gives the Slave a right to two reals daily, of 300 to three reals, and thus to completion of the payment of the whole sum in which he had been appraised. The dollar is worth only eight reals or bits

No. 64.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(*Rec. Mar. 20.*)  
SIR, *Havannah, February 18, 1824.*

I HAVE the honour to acknowledge the receipt of your Despatches of the 6th and 17th November, 1823;\* and I shall not fail to pay all due attention to the Instructions therein contained, in any Case on which occasion may arise for their application.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 65.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(*Rec. May 14.*)  
SIR, *Havannah, February 29, 1824*

ON the 17th Instant, the French Brig *Victor*, A. P. Guillon, Master, entered this Port in Ballast, from the *Danish* Island of *St. Thomas*,

\* See Class B, Session 1824, Nos. 9 and 11.

having previously touched at Matanzas ; and on the 21st the *French* Brig *Agile*, also in Ballast, arrived from St. Thomas on the Coast of Africa.

Conceiving both these to be suspicious Cases, I took an opportunity of mentioning them to the Governor. I stated to His Excellency, that it was of peculiar importance at the present moment that they should undergo a strict investigation, as, if they were allowed to escape with impunity, little doubt could be entertained that the *French* would speedily renew the illicit Slave Trade, which it was notorious they had carried on to a great extent with this Island, previous to the late rupture between *France* and *Spain*.

His Excellency replied that these Cases had not escaped his observation, and that upon inquiry he had been informed that the *Victor* had been sent here without a cargo, for the purpose of being sold :— with respect to the *Agile*, he admitted that to be a suspicious Case, but said that the Captain of the Port had reported to him that her Papers were correct, and that no circumstance had come to light, which could justify a well-grounded presumption that she had been engaged in illicit Slave Trade. His Excellency promised to give orders that all *French* Vessels which should hereafter arrive under similar circumstances should undergo a strict examination.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 66.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, June 19, 1824.*

I HEREWITH transmit to you, for your information, Six Copies of Papers marked A. and B. relative to the Slave Trade, which have been presented to both Houses of Parliament, by His Majesty's Command, in the course of the present Session.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 67.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. June 21.)  
SIR, *Havannah, April 20, 1824.*

THE *Spanish* Schooner Brig *Orestes*, Don Domingo Zurbano, Master, entered this Port in ballast, from *St. Thomas'*, on the Coast of Africa, on the 6th Instant.

This Vessel has been the subject of very general conversation here for some time, in consequence of a report in circulation that she had been captured by a British Ship of War. Her arrival, therefore, caused considerable sensation and very general satisfaction among the friends of illicit Slave Trade.

The very evening of the day upon which the *Orestes* arrived, I waited upon the Captain General, and apprized him of all the circumstances

of the Case that had reached my knowledge, dwelling particularly upon the notoriety of her having been engaged in the Slave Trade, and of the Report which had been in circulation, of her Capture by an English Cruiser;—and, I added, that unless some Proceedings were instituted by the Government in this most notorious Case, I was much afraid that the illicit Slave Trade carried on with this Island would considerably increase, as little or no apprehension could henceforward be entertained by those engaged in it, of the infliction of any punishment by their own Government for their open violation of Law and Treaty.

The Captain General replied, that, in all the Cases to which I had called his attention, he had uniformly directed the Captain of the Port to inform him whether any suspicious circumstances had come to light, from which a proof could be afforded, that the Vessels had been engaged in the Slave Trade; but that the latter had always reported, that the Ship's Papers were correct,—that no gratings or implements, such as are usually used in Slave Ships, had been found on board; and that the Captains and Crews, to a man, declared that they had been engaged in lawful Commerce on the Coast of Africa.—His Excellency did not profess to be satisfied with these assertions, but he expressed his conviction, that the undertaking a prosecution without bringing it to a successful conclusion (of which, in the present state of things, little hope could be entertained) would unavoidably tend to the increase of the evil of which I complained. He promised, however, to inquire into the Case.

Upon a subsequent occasion, His Excellency informed me that the same Report had been made to him respecting the *Orestes*, as upon all the other Cases which I had submitted to his attention.

I regret to have to inform you that, on the 14th Instant, the Brig *Conquistador*, Don Nicholas Escala, Master, and the Schooners *Nicanor* and *Ninfa Habanera*, Don Domingo Acue and Don Francisco Loureiro, Masters, sailed from hence for the Coast of Africa.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 68.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. June 25.)  
SIR, *Havannah, May 11, 1824.*

I HAVE the honour to acknowledge the receipt on the 9th instant of your Circular Despatch of the 31st of January, addressed to Mr. Jameson and myself, in which you have been pleased to notify to us certain arrangements respecting the computation of the period of Service, after which a *Pension* may eventually be granted to us, and the portion of Salary to be granted to us during the period we are absent from our Posts,—and directing us to be precise in stating the periods of

our departure from and return to our Post; which directions shall be punctually obeyed.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 69.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. June 25.)  
SIR, *Havannah, May 16, 1824.*

SINCE the date of my Despatch of April 20, two *Spanish Vessels*, namely, the Brig *Teresa*, Don Juan Sandrino, Master, and the Schooner *Socorro*, Don Gabriel Castillo, Master, have entered this Port from the Coast of Africa. Two others have cleared out for that Coast—namely, the Brig *Victoria*, Don Jose de la Puente, and the Schooner *Relampago*, Don Jose Garay, Master.

In the conversation which I had with the Captain General respecting these Vessels, I received from his Excellency the same answer I have so frequently reported to you to have received, in precisely similar cases.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 70.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. July 3.)  
(Extract.) *Havannah, May 29, 1824.*

I LATELY became acquainted in private society with *Mr. Randal*, an American Gentleman, who arrived here about a month ago from *The United States*.

In the course of conversation, *Mr. Randal* informed me that he had been apprized by his Government, that British Commissioners, under the Slave Trade Treaty with *Spain*, were resident here; that he had been directed to enter into communication with them, to offer his assistance and co-operation for the attainment of the great object both Governments had in view, namely, the suppression of illicit Slave Trade; and to request any information that could be given him respecting *American Citizens*, or Vessels engaged in that Traffic.

In my reply, I explained generally to *Mr. Randal* the nature of the illicit Slave Trade carried on with this Island. I expressed my regret that no exertions, in the power of His Majesty's Commissioners to make, could check it, and that I feared, therefore, his assistance and co-operation under present circumstances could be of no avail. I informed *Mr. Randal* that I believed the *American Flag* had not been employed in carrying on this Traffic, with the Island of *Cuba* at least, for many years; but that, if public report was to be credited, some *American Citizens*, established here and at *Matanzas*, were engaged in it, under the Flag of *France* or *Spain*.

*The Right Hon. George Canning.*

H. T. KILBEE.



No. 71.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. August 5.)

SIR,

*Havannah, June 14, 1824.*

THREE Spanish Vessels have lately arrived here under suspicious circumstances, namely, the Brig *Vengador*, and the Schooners *Chatica* and *Indomable*. The two first were reported, in the List of Arrivals daily published, to have come from *Sisal*; but it is observable that they both sailed from hence for the Coast of Africa towards the close of last year: and it is generally suspected, indeed I may say it is notorious, that they have now come direct from that Coast, with Cargoes of Negroes, which have been landed previous to their entrance into this Port, and of course that they have not been at their alleged Port of clearance.

One Vessel, the Brig *Orestes*, a notorious Slave Trader, sailed for the Coast of Africa on the 13th Instant.

I yesterday took an opportunity of conversing with the Captain General upon the subject of the great increase of the illicit Slave Trade carried on with this Island of late. I apprized him that the persons engaged in that Traffic have again ventured to expose Negroes for sale in the *Barracones* or *Depôts* formerly used for that purpose, which they had likewise done during the government of General Kindelan. I mentioned that all apprehension of the Law upon this subject being put into execution appeared to be at an end; and that it was well known that transactions for the sale of the illegally imported Negroes were carried on with almost the same publicity as before the Abolition: I particularly called his attention to the case of the Vessels mentioned in a former part of this Despatch, which were publicly announced as having cleared out from *Sisal*, when it was matter of notoriety that they had arrived direct from the Coast of Africa with Negroes; this circumstance affording too much reason to fear that there had been, if not connivance, at least remissness, on the part of the Officer whose duty it was to examine the Papers of Vessels entering this Port, and to report the Place of their departure; and I concluded by stating, that there were at this moment several Vessels fitting out in this Harbour for the Slave Trade on the African Coast, and that there was no difficulty whatever in obtaining the money necessary for embarking in that Traffic, shares for such speculations being greedily sought after, so great was the profit and so little the risk arising from adventures of this description.

The Captain General, in his reply, did not deny the facts stated by me, but lamented that he had not the means of preventing the evil complained of. He again expressed his conviction that any legal Proceedings which should be instituted under the present circumstances, and without having the most complete proof of the commission of the offence, would be not only nugatory, but detrimental to the

cause. With respect to the sale of Negroes in the Barracones, he promised to put a stop to that abuse.

I ventured to suggest to His Excellency, that even some shew of activity on the part of the Government here, although they should not go so far as to commence legal Proceedings, would have the effect of creating alarm, and of deterring many from engaging in the Traffic, and from purchasing the Negroes illegally imported.

It is but just to add, that the Captain General is placed in a very delicate situation. All those who surround him daily represent to him that the prosperity of the Island depends upon the continuance of the Traffic, and that any attempt to suppress it, besides that it would be probably unsuccessful, would bring upon his Government the most general unpopularity and odium—which ought particularly to be avoided in the present critical circumstances and unsettled state of the *Spanish* Monarchy, the Government of which too, there is reason to believe, is very indifferent about the matter.

By my late Despatches, you will perceive that the increase of illicit Slave Trade here latterly has been very considerable. During the whole of last year ten Vessels cleared out from hence for the Coast of Africa, and during the present, there have already sailed for that Coast the same number. The great success of the illicit Traders, independent of the want of energy and activity manifested by this Government upon the subject, has not a little contributed to the increase of speculations of this description. Of the ten Vessels that sailed last year, eight have returned to this very Port, and I find that the Captain of one of the remaining two has sailed again lately; it is therefore probable that he arrived with his Vessel at some other Port of the Island; so that, if that supposition be correct, there is only one out of the ten unaccounted for.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 72.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. Aug. 5.)  
SIR, *Havannah, June 30, 1824.*

SINCE the date of my Despatch of the 14th Instant, the *Spanish* Schooners, *La Española*, and *La Especuladora*, have entered this Port, nominally, the one from *Sisal* and the other from *Curaçoa*, but I have reason to believe that they both came direct from the Coast of Africa with Negroes. I am told that the real name of the first is the *Descamisada*, an old Slave Trader; the other sailed for the African Coast in January of this year, as reported in my Despatch of the 12th of January last.

Two Vessels had cleared out for that Coast, namely, the *Clara* and the *Chatica*; the latter is mentioned in my Despatch of the 14th Instant, as having entered this Port under suspicious circumstances.

On the 17th Instant the *Spanish Brig of War Marte* brought in here a Slave Ship with upwards of 400 Negroes on board, which she had detained a little to the Westward of this Port. The Court of Admiralty immediately assumed the cognizance of this Case, but the Mixed Commission has since claimed the same, and the question is now before the Governor.

The short stay of His Majesty's Brig *Camelion*, by which I send this Despatch, will not permit of my forwarding to you by her a detailed account of the Proceedings in this Case, with a Copy of the voluminous Correspondence which has already passed; but I will not fail to do so by the earliest opportunity.

I am most happy to have to inform you that, in the Proceedings upon this Case, the most perfect unanimity has hitherto prevailed among the Members of this Mixed Commission, and that, on the part of my Spanish Colleagues, I have met with a zeal to support the dignity and authority of the Court which I could not wish to see surpassed. From the profound legal knowledge and distinguished abilities of our Secretary, Don Raphael Gonzalez, we have derived the greatest benefit.

I cannot avoid mentioning, as a proof of the good faith and conciliatory spirit with which the Captain General has acted upon this occasion, that His Excellency, most readily and in the most obliging manner, consented to appoint the Gentleman whom I ventured to suggest to him, to supply the place of the Spanish Commissary Judge, Don Claudio Pinillos, at present absent from hence.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 73.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. Sept. 15.)  
SIR,

*Havannah, July 31, 1824.*

I HAD the honour of informing you in my Despatch of the 30th Ultimo, that on the 17th of the same month, *His Catholic Majesty's Brig Marte* brought into this Port a Brig, called the *Maria de la Gloria*, with a Cargo of 400 Slaves, which she had detained the day before.

It was my original intention, as I did in the case of the *Antoñica*, to have immediately conversed with the Captain General upon the subject, and to have suggested to him the propriety of submitting the Case to the cognizance of the Mixed Commission; but I was prevented from doing so, in consequence of His Excellency having unfortunately been attacked by a severe illness, which was generally apprehended to be the Yellow Fever, on the very day the Vessel arrived. On the 20th, however, considering that any further delay might be very prejudicial, and understanding that His Excellency was somewhat recovered, although still too unwell to converse upon business, I addressed a Note to him, in which, as I did not think it advisable in my individual capacity, (the Spanish Commissary Judge, Don Claudio Pinillos, being absent,)

to claim directly the cognizance of the Case, I confined myself to requesting to be informed, whether it was not one that should properly be submitted to the Mixed Commission; suggesting, at the same time, the expediency of doing so, under existing circumstances, even although there should be a Spanish Tribunal competent to try the same; and mentioning the necessity, in the event of my suggestion being adopted, of the appointment of a Spanish Commissary Judge in the room of M. Pinillos.

On the following morning I received a reply from the Captain General, informing me that he had remitted my Note to the Spanish Admiral on this Station, the Court of Admiralty having already assumed the cognizance of the Case, with a Communication that he agreed in opinion with me, that it ought to be submitted to the Mixed Commission; adding his intention of naming a Commissary Judge, in the event of the Admiral being of the same opinion. His Excellency concluded by adverting to an observation in my Note, respecting the illicit Slave Trade carried on here, which, he conceived, reflected on his conduct, and upon which, therefore, he thought it necessary to give some explanation.

It having been very far from my intention to make any observation that could be in the slightest degree personally disagreeable to the Captain General, I immediately addressed a second Note to him, in which, after expressing my thanks for the disposition he had manifested to promote the measure which I had suggested, and which could not fail to be acceptable to His Majesty's Government, I disclaimed any intention of calling his conduct into question, alleging that my sole object had been to impress upon him the greater propriety of submitting the present Case to the cognizance of the Mixed Commission, in consequence of the existence of an acknowledged and extensive contraband Slave Trade carried on with this Island. I thought it but just to advert upon this occasion to the favourable manner in which His Excellency had always received me, whenever I had spoken to him on the subject of illicit Slave Trade; and to express my conviction that, if that evil had not been remedied, it was to be attributed to other causes, and not by any means to a disposition on his part to evade the fulfilment of the Treaty of 1817.

On the evening of the same day (the 21st), I received an Official Letter, dated the 18th, from Admiral Gaston, the Commander-in-Chief of His Catholic Majesty's Naval Forces on this Station, in which His Excellency states, that the Court of Admiralty had decreed that a Communication should be made to the Mixed Commission, with an attested Copy of the Proceedings in that Court, respecting the extraordinary Case of the *Spanish Privateer "Romano"* having captured a *Portuguese Brig* on the Coast of Africa, with a cargo of 400 Negroes, which Brig was a second time detained by the *Spanish Brig of War "Marte,"*



on the 16th Instant, between Bahiahonda and Mariel. By the Enclosure in the Admiral's Letter it appears, that the Court of Admiralty made this Communication to the Mixed Commission, for the purpose of the latter offering any observations that might occur to them upon the Case in question, but that it was by no means their intention to submit it to the cognizance of the Commission.

Immediately after the receipt of this Letter, I waited upon the Captain General, who was nearly recovered from his indisposition, and I mentioned to him the necessity, under the present circumstances, of immediately appointing a Spanish Commissary Judge, in the room of M. Pinillos, in order that the Mixed Commission might take into consideration the Letter and Documents forwarded by Admiral Gaston; and I ventured to suggest to His Excellency, Don Andres de Jauregui, a most respectable Gentleman, who, from his high character and conciliatory disposition, was peculiarly well calculated for the office. His Excellency, in the most obliging manner, acceded to my suggestion, and promised to appoint M. Jauregui without delay. And accordingly on the following morning (the 22d) I received a Note from him, dated the preceding night, in which, after apprizing me of a Communication made to him by the Admiral, to the effect that my Letter of the 20th had been submitted by the latter to the Legal Counsel of his Department, he informs me, that he had appointed Don Andres de Jauregui, Commissary Judge, ad interim, in the room of Don Claudio Pinillos.

Copies and Translations of this Correspondence are enclosed.

On the 22d, M. Jauregui took the oath prescribed by Treaty, and on the evening of that day we had our first meeting. After the perusal of the Correspondence which had passed, it appeared to us both, that this was a Case, the cognizance of which properly belonged to the Mixed Commission; but before we came to any resolution upon this point, I apprized my Colleague of the construction adopted at Sierra Leone, of the 13th Article of the *Regulations* for the Mixed Commissions, which treats of the mode of supplying the vacancies that may occur: it having been decided there, that, in the event of the absence of any of the Foreign Members, whose places could not be supplied, ad interim, the remaining individuals of the Commission should sit together as independent Judges; and I stated that, in pursuance of this construction, the British Commissioner of Arbitration being absent, his Spanish Colleague, M. Quesada, should be summoned to attend, and take his place with the two Commissary Judges.

After considerable discussion, it was at length decided, that the construction of the Article in question established at Sierra Leone, should also be adopted by this Mixed Commission; and that, at all events, it would be advisable to summon M. Quesada upon the present

occasion, as we should probably have to treat of the important subject of the powers of the Court.

It may not be immaterial to add, that we adopted the above construction in the contemplation of the Case of the absence of the British Commissary Judge, when many inconveniences would occur, the Treaty no where specifying, that his place is to be supplied by the Commissioner of Arbitration, which are obviated by that construction; but both M. Jauregui and myself were of opinion, that, in the present case of the absence of the British Commissioner of Arbitration, considering the 13th Article of the Regulations with reference to the 3d Article of the same, which treats of the form of Process, it would be more conformable to the tenor of both, that the Commissary Judges should proceed as usual, and only in the event of a difference of opinion, call in the Spanish Commissioner of Arbitration.

I enclose a Translation of the *Minute of the Proceedings* of this day, as drawn up by the Secretary, for the purpose of being placed amongst the Records of the Commission; and also of the letter addressed to M. Quesada, the Spanish Commissioner of Arbitration, for the purpose of requesting his attendance. And I shall continue to enclose the Minutes of the Proceedings in this Case, in the order in which they are alluded to in this Despatch, together with the Letters and Documents to which reference is made.

On the morning of the 23d the Court met, when the Spanish Commissioner of Arbitration, M. Quesada, took his seat with the Commissary Judges, having previously made some observations upon the construction put upon the 13th Article of the Regulations, in virtue of which he had been invited to attend the Meeting.

The Documents produced at the former Sitting were then again read; and, as a preliminary measure, I suggested the expediency, for many obvious reasons, of the Mixed Commission coming to a Resolution, not to enter into direct communication with any other Authority or Department but the Captain General; which suggestion was immediately approved by the other Members, and adopted accordingly.

After due consideration of the Documents before the Court, and particularly of the Letter of the Admiral with its Enclosure, it was agreed unanimously, that the present Case was one which belonged properly and exclusively to the jurisdiction of the Mixed Commission;—and it was resolved that a Letter should be addressed to the Admiral, informing him that the Commission could not enter into direct communication with any other Authority but the Captain General, and hoping that he would speedily reply to the representation made upon the subject already by His Excellency;—adding, however, as a mark of respect to the Admiral, he having been pleased to address the Commission directly, that in their opinion, the Commanding Officer of the *Marte*, having detained a Vessel with Negroes on board, and hav-

ing brought her into this Port, ought to have come directly to the Mixed Commission with the Papers of the detained Vessel, in conformity to the first Article of the Instructions for the Cruizers of the two Nations ; the examination of which Papers belonged exclusively to that Court.

The Admiral replied to this Letter by merely acknowledging its receipt.

Upon my return home after the Sitting of the 23d, I found a Letter from the Admiral addressed to me, in consequence of that which I wrote to the Captain General on the 20th, and which had been transmitted by the latter to him ; by which Letter, and its Enclosures, it was evident that the Court of Admiralty was resolved to continue to maintain the cognizance of the Case.

Having observed in the opinion of the Fiscal of the Court of Admiralty, enclosed in the above Letter of the Admiral, that it was indirectly insinuated that I had, upon the present occasion, allowed my zeal to exceed its proper limits,—that a tone and manner towards me are used throughout, which are altogether uncalled for by my conduct,—and that I am expressly charged with having taken upon me to attribute blame to the Court of Admiralty for the delay which had occurred in this Case ; I thought it necessary in my answer to the Admiral, after stating that I could not venture individually to give an opinion upon the communication made in his Letter, the Case being before the Mixed Commission, to deny, in the most explicit manner, the charge which had been made against me.

I subsequently received a reply from Admiral Gaston, containing a representation of the Fiscal, explanatory of the observation to which I had alluded ; with which explanation I expressed myself to be perfectly satisfied.

I did not submit Admiral Gaston's Letter of the 23d to the Mixed Commission till the 25th, the 24th being a holiday ; and at a Sitting held that day, it was resolved, as it was now evident that the Court of Admiralty was determined not to relinquish the cognizance of the present Case, that an energetic Remonstrance should be addressed to the Captain General upon the subject ; and that His Excellency's protection should be solicited, for the purpose of reinstating the Commission in the free exercise of their powers, of which they had been deprived by the Marine Department ; adding a formal Protest against all the Proceedings of that Department in the Case.

On this and the following day (26th) Communications were received from the Captain General, stating that he had required the opinion of Counsel respecting the Resolution of the Court of Admiralty, notified to him by the Admiral in a Letter dated the 23d, which was to the same purport as that transmitted to me under the same date ; and

that he had been advised to consent to the disembarkation of the Negroes, and the Deposit of the same, as decreed by that Court.

On the 30th of June the Mixed Commission again met, but having learnt that the Captain General, although he had not yet replied to the Representation of the 25th, was seriously engaged in the consideration of the subject of it, they agreed that a renewal of the same at the present moment would be injudicious.

On the same day a Letter was received from His Excellency, in which he states, that, in conformity with the opinion of Counsel whom he had consulted respecting the Representation of the 25th, he had come to the decision, that the present Case properly belonged to the Mixed Commission, and that he had accordingly written to Admiral Gaston, requiring the Court of Admiralty to cease in the cognizance of the same, and to send him the original Documents and Proceedings, in order that he might transmit them to the Commission.

The latter, in reply, expressed their acknowledgments for the zeal with which His Excellency had endeavoured to maintain the Court in the full exercise of their powers.

The Captain General again addressed the Commission on the 7th of July, and transmitted a Letter which he had received from Admiral Gaston with all the original Proceedings in the Case: in which Letter it was proposed that a Concord, or Joint Proceeding, should be established between the Commission and the Court of Admiralty.

At a Sitting held on the 8th this proposal was taken into consideration;—when, it appearing to the Court that all the objections to entering into direct Communications and Discussions with other Tribunals existed in greater force to the proposal of a Joint Proceeding; and that there were besides two invincible obstacles arising from the different Forms of Process of the two Tribunals, and from the different Courts to which their respective appeals lay; it was resolved, that a Letter to this effect should be addressed to the Captain General, in which the original Proceedings of the Admiralty should be returned, as they were not yet sent to the Commission for the purpose of their entering upon the consideration of the Case, in conformity with their powers.

On the next day, a Letter was received from the Captain General communicating the opinion of Counsel, which His Excellency had adopted, that the whole original Process and Documents should be remitted unconditionally to the Mixed Commission, for the purpose of their proceeding to the adjudication of the Case.

On the 10th the Court met, and, after taking into consideration the last Letter with its Enclosures, it was resolved that a Letter should be addressed to the Captain General, acknowledging the receipt of the original Process of the Admiralty, and the other Documents; another



to request His Excellency to take measures for the attendance of the Commander of the Brig of War before the Court, for the purpose of being examined on the morning of the 12th (the 11th being Sunday), and also to have the goodness to provide the Court with an Officer (both which requests were instantly acceded to); and a third, recording the solemn Protest, which the Court considered it to be their duty to renew upon the occasion of entering upon the free exercise of their powers, against all the Proceedings of the Marine Department in this Case. In this last Letter, the Commission also suggested to the Captain General the expediency of changing the depositary of the Negroes, the owner of the *Romano*, for many reasons, not appearing to be a fit Person for that charge; and His Excellency was entreated to take upon himself the charge of appointing another depositary, and of adopting other requisite measures, the Court being entirely destitute of means for that purpose.

Subsequently the Captain General wrote to the Commission, forwarding a Letter from the Admiral, with Enclosures, in which, upon the occasion of consenting that the Commander of the *Marte* should attend to give testimony before the Mixed Commission, the legal Counsel of that Department enter into some observations respecting the Court of Admiralty's Jurisdiction, of which it was hoped that Court would not be deprived by the Commission:—to which observations it was replied, that the latter had not as yet exceeded their powers, and would be careful not to do so in future.

You will perceive, throughout the whole of the Proceedings and Correspondence of the Marine Department and the Mixed Commission, during the discussion respecting the Court to which the cognizance of the present Case properly belonged, that it was the constant endeavour of the former to keep out of sight the most material circumstance of the detention of the *Maria de la Gloria*, by His Catholic Majesty's Brig *Marte*, and to consider her solely as the Prize of the Spanish Privateer, *Romano*;—from whence it was deduced that, as the latter did not belong to the Royal Navy, and consequently was not provided with the Instructions annexed to the Slave Trade Treaty, the Case could not be brought under the cognizance of the Mixed Commission, and necessarily belonged to the Court of Admiralty:—and, moreover, that as the *Romano* was a Privateer fitted out, and provided with Letters of Marque, at this Port, it belonged to the Marine Department exclusively, to judge of the legality or illegality of the conduct of her Captain, in making the present or any other Prize whatever.

The Mixed Commission, on the contrary, always kept in view, and alleged that the *Maria de la Gloria* had been detained on the Coast of this Island, as a suspicious Vessel with Negroes on board, and brought into this Port by the Spanish Brig of War, *Marte*, duly provided with the Instructions annexed to the Treaty; the first Article of which,

after authorizing the Commander of a Ship of War, of either of the Two Nations, to detain Vessels engaged in the Slave Trade, adds, that "having detained them, he is to bring them, as soon as possible, for judgment, before that of the two Mixed Commissions which shall be nearest,"—and they asserted that the Document produced to prove that the Vessel is *Portuguese* and Prize to the *Romano*, is not, in the present stage of the Proceedings, entitled to any credit whatever, and may as well have been given to cloak a transaction really Spanish;—but that, even granting it to be fully entitled to credit, the Commander of the *Marte* was not authorized to present it to the Court of Admiralty, nor the latter to receive it; and the very act of that Court bringing forward the said Paper, as an argument that the Case is of their jurisdiction, is a manifest proof of the illegality of their Proceedings, and of having deprived of the exercise of their powers this Mixed Commission, to which alone it belongs to receive and examine all the Papers of the Vessel, and to decide upon the credit due to them.

On the 12th instant and following days, without intermission, the Court sat, and were engaged in examining witnesses, until the 16th, when, it appearing that the Brig *Maria de la Gloria* was really the property of Portuguese Subjects of Brazil, and had been captured by the *Romano* on the Coast of Africa, they were of opinion that any further Proceedings would only occasion delay; and, therefore, on that day declared that the detention of the said Vessel by the *Marte* was legal, considering the circumstances under which it had been effected; but abstained from pronouncing upon any other point connected with the Case. It was likewise decreed that all the Documents remitted by the Captain General should be returned, together with a certified Copy of the Proceedings of the Commission; and that His Excellency should be requested, in the event of its ever appearing by the future Proceedings in the Case, (as within the bounds of possibility,) that the Negroes had really been acquired by the Captain of the *Romano* in the way of traffic, direct or indirect, and consequently that the Portuguese property was only apparent, to be pleased to order that the Case be returned to the Mixed Commission, as in such event it would belong to that Court alone to condemn the Vessel; to declare the Slaves free; and to give them their Certificates of Emancipation.

A statement of the Case of the *Maria de la Gloria*, with an Abstract of the Evidence, and the Decree of the Court, are enclosed.

On the 15th instant the Captain General communicated the opinion of Counsel upon the suggestion made by the Mixed Commission, relative to the deposit of the Negroes, in their Letter of the 12th; and in that addressed to His Excellency on the 17th, informing him of the result of the Proceedings of the Court, it was stated, that in consequence of that result, they of course could not now interfere in the deposit.

Although, among the Documents which I have the honour to enclose in this Despatch, you will find some of little importance, and not unfrequent repetitions, yet I have thought it better to forward to you the whole series, on account of the importance of the decision adopted respecting the Powers of the Mixed Commission; the result of which decision is, that this, and the Commission at Sierra Leone, are the only competent Tribunals to hear the Causes of Spanish Slave Ships, even when detained by Vessels of War of their own Nation. Those Documents will also serve to show in their proper light the zeal and firmness manifested by the Captain General, in the support of the Mixed Commission during the contest respecting their Powers: and finally with the whole of them before you, you will be enabled to form a more exact judgment of the conduct of the Commission, under circumstances both novel and difficult.

Upon this last point, I have only to observe that the most perfect unanimity prevailed during the whole of the Proceedings; and that my Spanish Colleagues continued to manifest the same zeal to uphold the dignity and authority of the Court, which I before stated they had displayed at the commencement.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

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(Enclosure 25. B.)—*Abstract of the Original Proceedings in the Court of Admiralty at The Havannah, in the Case of the Brig, Maria de la Gloria, transmitted by Admiral Gaston to the Captain General, and by the latter to the Mixed Commission, in His Excellency's Letter of the 9th July, 1824.*

THE commencement of these Proceedings was transmitted by the Admiral to the Mixed Commission in a Letter, dated the 18th June. In the Originals are included two of the Papers referred to in the Report of the Commander of the *Marte*, which were not enclosed in the Admiral's Letter of the 18th: the one is an extract of the Log-Book of the *Marte*, respecting the detention of the *Maria de la Gloria*; and the other, a list of the Crew of the latter, put on board by Cotarro, after his capture of her; with the Log-Book of the same, from the time of her separating from the *Romano* till the 14th June, two days before the detention by the *Marte*.

Then follows the Official Letter of the 21st June, of the Captain General to the Admiral, in which is inserted that of the Commissary Judge of H. B. M. to the former, dated the 20th June. His Excellency concludes by stating, that he agrees in opinion with that Commissary Judge, that the Case of the detained Vessel ought to be transferred to the Mixed Commission.

Here follows certain formalities respecting the visit of the Board of Health, &c.

Then the Fiscal's representation respecting the Captain General's Letter of the 21st, and the Decree of the Court upon the same, all which was remitted by the Admiral to the British Commissary Judge, under date the 23d.

Declaration upon Oath of the Commander of the *Marte*, confirming his Report respecting the detention of the Brig, *Maria de la Gloria*, and adding that the Prize Master, or Captain of that Vessel, stated that there were several of her original Crew on board at the time of the detention by the Master.

Report of the Board of Health.

Reply to the Captain General, dated the 24th, notifying the decision of the Court respecting His Excellency's of the 21st, and urging the necessity of effecting the disembarkation of the Negroes.

Petition of the Fiscal, praying that the disembarkation of the Negroes may be ordered by the Court without delay, the latter having declared their opinion that the Case is of their jurisdiction, and that they be deposited with Don Juan Perez, owner of the Privateer, *Romano*, in order that the latter may be saved the expenses of Commission, &c. in case there should be a Sentence in his favour. He urges the necessity of the disembarkation in the strongest terms.

Decree of the Court, dated the 23d June, directs, that notwithstanding the preceding Petition, the Court, as yet declining to take upon themselves alone the adoption of the measure of disembarkation, decree that another Letter be addressed to the Captain General with this Decree and the Petition, requesting His Excellency to give an answer as soon as possible respecting this point.

Letter to the Captain General in consequence of the above, dated June 23d.

Letter to the British Commissary Judge, dated June 23d.

The Mixed Commission to the Admiral, dated June 23d.

Report from Don Juan Perez, respecting the wretched state of the Negroes on board the Brig *Maria de la Gloria*, dated 24th June.

The Fiscal's opinion respecting the two last Documents; that the Commission be answered by merely acknowledging the receipt of their Letter; the observations in which ought to be taken into immediate consideration. He here enters into some arguments to prove that the Case belongs to the Court of Admiralty; one of which is, that the Negroes were *not* brought for the purposes of traffic, and therefore, by the Tenth Article of the Treaty, the Commission could not take cognizance of the same. He recommends that the Captain General be again addressed upon the subject of the disembarkation of the Negroes.

The Decree of the Court, dated the 25th June, conforms with the preceding.

Letter from the British Commissary Judge, with the Proceedings relative to the same.



Letter to the Captain General, requesting his decision relative to the landing of the Negroes, dated June 25th.

Letter to the Mixed Commission, same date.

Letter from the Captain General to Admiral Gaston, enclosing opinion of counsel advising the disembarkation of the Negroes, and stating that he had conformed with the same, dated June 26th.

Order for the disembarkation of the Negroes; formalities and precautions adopted; security of fifty thousand dollars given by Perez, the depositary; number of the Negroes, 400; inventory of the Brig.

Letter to the Captain General, acknowledging the receipt of that of His Excellency, dated the 26th, and requesting his resolution respecting the principal point under discussion, namely, to what Tribunal the Case of the *Maria de la Gloria* belongs, dated 28th June. Report and Proceedings respecting some of the Negroes who were unwell, and also respecting an Inspector in the room of Don Joze Soler, who declined that charge; and of Don Victorino Sandaval, who was absent in the country. Don Joze Traviero appointed Inspector at the recommendation of the Fiscal; which charge he accepted.

Letter from the Captain General to Admiral Gaston, enclosing the opinion of Counsel that the Case of the *Maria de la Gloria* belonged to the jurisdiction of the Mixed Commission, dated June 30th, and notifying his Decree conforming to that opinion, and requesting the Admiral to transmit to him the Original Proceedings, in order that they may be forwarded to the Mixed Commission.

Representation of the Fiscal respecting the preceding Letter. He alludes to the Captain General's conceiving himself to be authorized to decide upon the question of the jurisdiction of the Court, although he (the Fiscal) considers that to be the prerogative of the Supreme Government alone. He recommends the measure of a Concord, or Joint Proceeding, between the Mixed Commission and the Court of Admiralty; it being unquestionable that it belongs to the latter to decide respecting the conduct of the Captain of the Privateer; and he advises that the Original Proceedings, required by the Captain General, be forwarded to His Excellency with the proposal of the Joint Proceeding; and if this be not accepted, that the Court should Protest solemnly against the deprivation of their Powers.

Decree of the Court, Havannah, July 2, 1824.—The Court having taken into consideration the Letter of the Captain General with his Decree, declaring that this Court should cease to proceed in the Case of the capture of a Slave Vessel by the Privateer, *Romano*, Don Joze Cotarro, Captain, and should transmit the Original Proceedings for the purpose of transferring them to the Mixed Commission; and, having heard the opinion of the Fiscal, observed that it was necessary to put an end to the discussions upon this subject, the reasons alleged by this Department respecting their undoubted right to hear and determine exclusively, relative to the conduct of the Captain of the Privateer.

teer who captured the Slave Vessel, not having been considered sufficient; because they considered that it was more laudable to yield in a Case which the Captain General himself admits to be extraordinary and doubtful, it not being decided in the Articles which determine the powers of the Commission, than to continue a contest which would paralyze the regular course of the Proceedings, thereby causing serious injury; although their arguments appear to be the clearest and most convincing: conformably with these Principles, the Court have agreed unanimously that a Letter be immediately addressed by the President to the Captain General, with the Original Proceedings in the state in which they now are, recommending to His Excellency the expediency of adopting the measure of a Concord or Joint Proceeding between the Mixed Commission and this Court, which appears to be the most legal, in consideration of the singularity of the Case to be tried, and of there being no law which expressly declares to what Tribunal the cognizance of the same belongs; and by this means nothing will be risked, and the inconveniences arising from a Tribunal assuming powers which do not belong to it, will be avoided. But, if this arrangement should also be considered unadvisable, that then the said Original Proceedings be at the unconditional disposal of the Captain General, upon His Excellency's responsibility; this Court saving their powers and decorum, by the manifestation they have made of the prudent motives which have determined them to desist, and by the formal Protest that it be without prejudice to their jurisdiction; upon which point they acknowledge those Authorities alone whom the Laws point out, and not that of His Excellency in this respect; for the Sovereignty from whence all Laws proceed, has given to the Chief of the Naval Department in America, a plenitude of power which cannot be checked by any other Local Authority, without committing a violence that would disturb the appointed order for every Public Functionary in his Department: and the Court hope that the Captain General, taking into due consideration the reasons alleged in this day's Proceedings, will adopt such measures as his sound judgment shall dictate, for the purpose of preserving the Court in the free exercise of their functions, His Excellency having already allowed himself to be made the channel for the Communications which appear among the Proceedings, and which the Mixed Commission ought to have made directly, in consideration of the installation of the same as a duly-authorized Tribunal. The Court have likewise agreed that an attested Copy of all their Proceedings with a proper Report be forwarded for the information of His Majesty our Lord The King, separating the Log-Book of the Marte, which may be returned to the Commander of that Vessel: and, the Members of the Court provided, ordered, and signed, &c.

MIGUEL GASTON,

And the other Members of the Court of Admiralty.

(*Enclosure 33*).—*Case of the Brig Maria de la Gloria.*

This Vessel was detained on the morning of the 16th of June, between the Ports of Mariel and Cabanas, by His Catholic Majesty's Brig, *Marte*. Her detention was effected under the most suspicious circumstances. She was close in shore, sailing in a course in a directly opposite direction to the Port of her alleged destination; she was laden with Negroes, and she did every thing in her power to escape from the *Marte*. When at last her escape was impossible, her Captain, Don Bernabe Solano, asserted that she was prize to the *Spanish* Privateer, *Romano*, and was proceeding to the Port of Havannah for condemnation, but had been obliged to make for that of Cabanas, being in great distress for want of water: (it is observable that a point of the Coast near Cabanas is the notorious and principal haunt of illicit Slave Traders.) The Papers produced, to prove the truth of this assertion, were, 1st. a Copy of the Letters of Marque issued at this Port to the Captain of the Privateer, *Romano*, Don Joze Cotarro;—2nd, a Paper stating the reasons why Cotarro captured the Brig, and called by him a Condemnation;—3rd, a very imperfect list of the Crew put on board the prize by Cotarro; and 4th, the Log-book of the same, very ill kept, from the time of her separation from the *Romano*, on the 24th of April, during her voyage round Cape St. Antonio, down to the 14th of June, two days before the detention of the Vessel by the *Marte*. But there were none of the original Papers of the Prize, while in possession of her professed Owners, the *Portuguese*, nor was her original Portuguese Captain or any other ostensible Officer on board. The Paper called the Condemnation by Cotarro is a flourishing invective against the *Portuguese* and *Spanish American* Insurgents, and a still stronger invective against the Slave Trade; (Cotarro was himself an old Slave-ship Captain,) alleging as the reasons for the capture, that the Vessel belonged to Rebels to the Crown of *Portugal*, and sailed under an unknown Flag; and that she was engaged in the Slave Trade to the North of the Line; and he sends her to the Mixed Commission, in order that they may check this horrid evil of illicit Slave Trade.

Under these circumstances it was impossible not to suspect that the Brig in question was a *Spanish* Slave Trader; that the Paper of Cotarro was given for the purpose of being produced, in the event of her falling in with a British Cruizer; that, but for the detention by the *Marte*, the cargo of Negroes would have been landed near Cabanas; and finally, that the whole story of the capture from the *Portuguese* was a mere fabrication, framed for the purpose of keeping the Case from the cognizance of the Mixed Commission.

So strong was this impression that, even after the perusal of the Memorials of Antonio Ferreira da Costa, although their language was strong, it still remained; and the bringing forward this Person was



imagined to be a kind of under plot to strengthen and confirm the original story.

Such was the state of things when the Mixed Commission entered upon the examination of Witnesses. From the testimony of Captain Apodaca, and the Officer of his Brig who took charge of the Prize, little information was obtained; that of Bernabé Solano, the Captain of the Slave Vessel, was confused and shuffling, and only served to confirm the suspicion that his object was to land the Negroes on the Coast. But when Antonio-Ferreira da Costa was called, he gave such clear and consistent evidence, and in such an intelligent and satisfactory manner, that little doubt could be entertained of the truth of his statement, after a very long examination. His testimony was confirmed by that of Jacques Malangan, a French Sailor belonging to the *French Ship, Telegraph*, which had been captured by the *Romano* previous to her falling in with the Brig *Maria de la Gloria*, and who had been transferred on board of the latter, when she was taken and manned by Cotarro; it is still more strongly confirmed by Antonio Freites, a sailor belonging to the *Portuguese Brig, Vencedor*, likewise captured by the *Romano* before the *Maria de la Gloria*, and who had, like Malangan, been put on board the latter by Cotarro; but in this witness there concurred the peculiar circumstances of having sailed from the same Port as the *Maria de la Gloria* ten days after that Vessel; of his having recognised her as soon as he saw her on the Coast of Africa; and of his knowing her Owner, who lived opposite to his house.

From the concurrent testimony of these three witnesses, it appeared that the Brig *Maria de la Gloria*, Jozé Joaquin de Oliveira, Owner, and Juan Jozé Fonseca, Master, sailed from Bahia de Todos Santos, in *Brazil*, on the 8th of February, with regular Papers despatched by the Government of the Country, bound for Molembo, but that she proceeded direct for Onim: that being at anchor there, and engaged in procuring a cargo of Negroes, the Privateer *Romano* arrived with two other sail, (the *Portuguese Brig Vencedor* and a *French lugger*,) her prizes, the latter being anchored at a considerable distance out of reach of communication with the *Maria de la Gloria*, while the *Romano* anchored near that Vessel, entering into familiar communication with her, and stating that she had come from The Havannah for the purpose of Slave Trading, respecting which she requested information: that they remained together for some days, when an English Frigate appeared in sight, upon which the *Romano*, with her Prizes put to sea, and were pursued, and one of the latter, the *Vencedor*, was re-captured by the Frigate; that the *Maria de la Gloria*, not having as yet any Slaves on board, continued at her anchorage; that on the next day, the Frigate being out of sight, the *Romano* returned, and again entered into communication with the *Maria*; and (the latter being ready for sea on the 23d) offered to accompany her during the



night for the greater security of both: that this offer was accepted by the *Maria*, and accordingly both Vessels kept together till, on the morning of the 24th, the *Romano* captured the other, and, having manned her, despatched her to the Island of Cuba to land the Negroes on the Isle of Pines, or at Ortegoza, according to Ferreira da Costa, the other two witnesses alleging ignorance of any particular point of the Coast to which the Vessel was destined: that the two Vessels separated on the 24th, when the *Maria de la Gloria* proceeded on her voyage, till making for the port of Cabanas or its neighbourhood, she was detained by the *Marte*, and carried into the Port of Havannah on the morning of the 17th of June.

From the first appearance of any probability of the truth of the assertion that the Vessel was *Portuguese*, the Court directed their particular attention to that point, and the concurrent testimony of those three witnesses leaving no doubt that she was *Portuguese*, or rather the property of subjects of the Empire of *Brazil*, the Court considered that any further proceedings on their part would be useless, and would only tend to increase the delay which had occurred in this Case, and which, in their correspondence, they had so strongly deprecated; as, according to the letter and spirit of the Treaty, it is evident that they are not authorized to try the Cases of *Portuguese* Vessels. A Decree to that effect was accordingly issued on the 16th of July.

H. T. KILBEE.

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(Enclosure 34.)—*Abstract of the Evidence, in the Case of the Brig, Maria de la Gloria.*

CAPTAIN Apodaca, of the *Marte*, was the first witness called and he confirmed the statement in his Report to Admiral Gaston respecting the detention of the *Maria de la Gloria*, as well as the declaration given by him before the Auditor of Marine, both included in the Proceedings in the Court of Admiralty. He declared that he received no other Papers but those already produced by him, viz.—1. Copy of Letters of Marque of the *Romano*. 2. Statement of Captain Cotarro of the *Romano*, respecting the capture of the Brig *Maria de la Gloria*. 3. Log-book of the latter, from the day she was taken by the *Romano* till two days before she was detained by the *Marte*. 4. List of the Crew of the *Maria de la Gloria*, with which she arrived here: it is signed by Cotarro. He added that he had not given the Captain of the detained Vessel a Certificate of the Papers received, from want of time, and being close to the Port; and that the authentic declaration, required by Treaty, he conceives to be contained in his Report to the Admiral.

The second witness called, was the Ensign of the Royal Spanish Navy, Don Manuel Moreno, who stated, that he was the Officer sent on board the Brig *Maria de la Gloria* by the Commander of the *Marte*; that upon his inquiring of the Captain of the former whence

he came, he was answered that the Vessel was prize of the Privateer, *Romano*, and bound to Havannah for adjudication; that he (Moreno) then asked why she was sailing away from the Port of her destination and why she had been captured? To which it was replied, that she was making for the Port of Cabanas, being in great distress for want of water (with which she was accordingly supplied by the *Marte*,) and that she was captured by the *Romano*, first, because she belonged to Rebels to the Crown of *Portugal*; and, secondly, because she was engaged in the Slave Trade to the North of the Line. He then asked what cargo was on board, and directed the hatches to be raised, and then found, for the first time, that there were Negroes actually on board; that he was then relieved by another Officer, but upon his return to the *Marte*, he was again ordered on board the prize, where he remained till after they arrived at the Port of Havannah.

He declared that the Captain gave him no Papers, but said that he had sent them on board the *Marte* with his Mate; that there were four hundred and one Negroes on board; that the Crew was mostly composed of Spaniards, but that there were two Frenchmen belonging to the *French Ship Telegraph*, which was also captured by the *Romano*; and when he desired the Captain of the Prize, amongst the sailors ordered on board the *Marte*, to send some of the original Crew of the said prize, the other said he had done so, without specifying their number or description.

D. Bernabe Solano was then called. He said that he had been one of the Mates of the Privateer, *Romano*, Captain D. Jose Cotarro, which sailed from hence about seven months ago, and that having captured a Vessel, calling herself *Portuguese*, but sailing under an unknown Flag, he was sent on board as prize-master, and ordered to proceed to Havannah for the condemnation of the prize; that the Vessel was called the *Maria de la Gloria*, and was captured near Lagos Bay, (he afterwards corrected himself, and said it was Onim) on the Coast of Africa, on the 23d of April last; that she was laden with four hundred and seventeen Negroes; and that Captain Cotarro had captured her because she was sailing under an unknown Flag; and even, although she were *Portuguese*, as she said, the Slave Trade to the North of the Line was not legal for her; he, therefore manned her with eighteen or twenty men of his Crew, taking out about the same number of the Portuguese, including all the Officers, leaving only one white and five blacks of the original crew on board who have arrived here in the prize acting as sailors, and by no means considered as prisoners. He stated that he knew nothing about the original Portuguese Papers of the prize, which were not delivered to him, and that the only Papers he received were the four which he delivered to his Mate to take on board the *Marte*, and when these Papers were shewn to him he recognised them.

He mentioned that there were two *Frenchmen* amongst his Crew who had belonged to the French Ship, *Telegraph*. He denied that he had ever attempted to get away from the *Marte*, or ever thought of abandoning his boat; that he continued his route towards Cabanas, merely because he was greatly in want of water, and could not therefore delay. He said that he did not recollect how long the *Romano* had been on the Coast of Africa, and that she had *not* captured any other Slave Vessel but the Brig *Maria de la Gloria*, which he heard on board had been fitted out at Bahia de Todos Santos, in Brazil.

The Court having received a Memorial from Don Ant. Ferreira da Costa, who had previously addressed himself to the Captain-General upon the subject, praying that he and five Negro Sailors of the Brig *Maria de la Gloria* should be examined, for the purpose of proving that that Vessel was *Portuguese* property; this individual was directed to attend the Court, and was the fourth witness examined.

He stated that, on the 8th of February last he sailed in the Brig *Maria de la Gloria*, of which Don José Joaquin de Oliveira was Owner, and Don Juan José de Fonseca, Master, from the Port of Bahia, in Brazil, bound for Molembo, on the Coast of Africa, but that they proceeded direct to Onim, where the traffic was more advantageous; that while at anchor there, the Privateer, *Romano*, arrived, and sent a boat on board the *Maria de la Gloria* to acquire intelligence; that the Officer in Command of the latter, the Captain being on shore, betrayed his fears that the Privateer was an English Cruizer, and offered to shew his Papers, but the Spaniards assured him he was mistaken, and that they were themselves come for the purpose of engaging in the traffic from Havannah, and requesting intelligence upon the subject; and after remaining there for four or five days together, an English Corvette appeared in the offing, when the *Romano* immediately made sail, and was pursued by the Corvette but escaped; that, on the following day, or that succeeding it, the *Romano* returned, and the Brig *Maria de la Gloria* being ready for sea, with her cargo of Negroes on board, the former offered to sail in company during the night, for which purpose she asked what course the Brig was about to take, alleging as a pretext that there was a strange sail in sight, and that they would be more secure together; that the *Maria de la Gloria* sailed in the evening of the 23d of April, and kept company with the *Romano* during the night, but that at about six o'clock in the morning of the 24th, the latter on a sudden fired three musket shots, and ordered her to lay to, and afterwards sent armed boats on board, notifying to her that she was prize to the *Spanish* Privateer, *Romano*, because she sailed under an unknown Flag, and was engaged in illicit Slave Trade; that successively the Captain, Officers, and nineteen men of the Crew, with all the Ship's Papers, were taken out of the Brig, and transferred on board of the Privateer, the deponent being the only white man left

in the former, with five Black Sailors, two of them free, and three Slaves of Oliveira, Owner of the Vessel; that he remained on board in the quality of Steward, (Bodeguero,) and heard it publicly said that the *Maria de la Gloria*, when she parted company with the Privateer, was bound for the Island of Cuba, the Prize-master having orders from Cotarro to land the Negroes on the Isle of Pines, or at the Port of Ortegoza, (near Cabanas); that they were unable to make the former, and when sailing for the latter, the Brig was detained by the *Marte*, when all the Negroes and part of the Crew were ordered below; that the pretext of want of water was false, as there were still four or five pipes full at the time of the detention, and that he must have known this, as it was his business to take care of the water. He added that among the people of the *Romano* put on board the *Maria de la Gloria*, were two countrymen of his, who said that they belonged to a *Portuguese* Brig, called the *Vencedor*, which had also been captured by the Privateer.

The next witness examined was Jacques Malangan, one of the Frenchmen on board the *Maria de la Gloria*. He stated that he sailed from Bourdeaux as a Sailor on board the Ship *Telegraph*, M. le Roux, Master, on the last day of January, bound for Lima; and that during this voyage, near the Cape de Verd Islands, the Ship was captured by the *Spanish* Privateer *Romano*, for what reason he is ignorant, on the 20th or 21st of February; and that all but four of the Crew were transferred on board the Privateer, he being one of those transferred, and were compelled by Captain Cotarro to serve on board the same; that after separating from the *Telegraph*, the *Romano* continued her course towards the Coast of Africa, and at the Roadsted of Triton (as he called it) she fell in with an English Brig and a French Lugger, the latter of which she captured; that she subsequently fell in with and captured a *Portuguese* Brig going to the Coast of Africa, to engage in the Slave Trade; that she then proceeded with her Prizes to the Roadsted of Onim, where she anchored with another *Portuguese* Brig, on board of which a boat was sent, the two Prizes having anchored also, but at a considerable distance; that some days after, an English Frigate appeared in sight, when the *Romano* immediately made sail, was pursued, but escaped; the *Portuguese* Prize, however, was taken by the Frigate; that the *Romano* returned to Onim on the next day, where the other *Portuguese* Brig had remained, and she being now ready for sea, the *Romano* proposed that they should keep company during the night, which proposal being accepted, the *Portuguese* sailed at about four in the evening, and the next morning was captured by the *Romano*; when the Deponent, with one of his countrymen, named La Croix, was ordered on board the Brig, which he found was named *Maria de la Gloria*, and in which he came to the Port of Havannah, in the neighbourhood of which the Brig was detained by the *Marte*, and brought into this Port.



The sixth and last witness examined was José Ant. Freitas, one of the *Portuguese* who was said by Ferreira da Costa to be on board of the Brig *Maria de la Gloria*. He stated that he sailed from Bahia as a Sailor in the Brig *Vencedor*, José Sans, Master, and Vicente Paula, Owner; he does not remember what day, but forty-eight days after, being in sight of their destination, which was the Coast of Africa, the Brig was captured by the *Spanish* Privateer, *Romano*, upon the pretext that she was sailing under the Flag of the Empire of Brazil; that the Captain, with some of his Slaves, who were Sailors, was sent on board a *Dutch* Vessel, which was in sight; and that part of the Crew, among whom was the Deponent, were transferred on board the *Romano*; that the latter, with the *Vencedor*, and a *French* Lugger, said also to be a Prize, proceeded along the Coast in company until they reached Onim, when the two Prizes were ordered to anchor at a considerable distance outside, while the *Romano* proceeded onwards, and anchored not far from another *Portuguese* Brig, which Deponent immediately recognised to be the *Maria de la Gloria*, that Vessel having sailed also from Bahia for the Coast of Africa about ten days before the *Vencedor*; that the Captain of the *Romano* immediately sent a boat on board that Brig, and remained at anchor near her about three or four days, when an English Corvette appeared in sight, which compelled Cotarro to put to sea with his two Prizes, one of which (the *Vencedor*) was recaptured by the Corvette; that the day following, the *Romano* returned to the Roadsted, and entered into communication with the Brig *Maria de la Gloria*, which had remained at Onim, and offered to give her convoy; that the Privateer being already outside, the Brig put to sea about two or three o'clock in the afternoon, and the two Vessels remained near each other during the night, but at about six o'clock of the following morning, the Privateer fired two or three musket shots at the Brig, ordered her to bring to, and sent boats on board to man her, declaring that she was a good Prize, because she sailed under an unknown Flag, and was engaged in the Slave Trade to the North of the Line; that Deponent was one of the Sailors sent on board the *Maria de la Gloria* to man her, together with a countryman of his called Manuel, who also had been a Sailor on board the *Vencedor*; and that he came in the said *Maria de la Gloria* to Havannah, the day before entering which Port she was detained by the *Marte*.

He added that he knew the Owner of the *Maria de la Gloria*, who was Don Joaquin José de Oliveira, and lived opposite Deponent at Bahia, but that he did not know the name of the Captain of that Vessel.

H. T. KILBEE.

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(Enclosure 35.)—Decree of the Court of Mixed Commission.

(Translation.)

HAVING taken into consideration the proceedings in the Case of the detention by the Brig *Marte*, belonging to the Royal Navy of His

Catholic Majesty, of which Captain Don Joze Apodaca was Commander, of a Brig called *Maria de la Gloria*, with a Cargo of Negroes on board, between the Ports of Mariel and Cabanas to the westward of that of Havannah; the Court declare, that the said detention was legal, being of a Slave Vessel on the Coasts of this Island, unprovided with any Papers to legalize her voyage.

But considering that, by the said proceedings, it appears that the above-mentioned Brig *Maria de la Gloria* was originally *Portuguese* property of Brazil, captured on the Coast of Africa, by the *Spanish* Privateer, *Romano*; and considering also that, according to the letter and tenor of the Treaty, it does not belong to the Mixed Commission to try the Cases of Vessels which do not sail under the *British* or *Spanish* Flag, or which are not the property of subjects of either of those Nations; and in no case to pronounce a decision respecting the conduct of the Privateer, in the capture which he made from subjects of what is called the Empire of Brazil; the Court likewise declare, that they ought and do abstain from giving a decision upon those points, and, consequently, upon that of the Emancipation of the said Negroes, as they would have done had those Negroes been acquired by the Captain of the Privateer in the ordinary way of trade on the Coast of Africa.

Under these circumstances, the Court, relinquishing, as they do hereby relinquish, the cognizance of this Case, order that the original Process and Proceedings of the Marine Department be returned to His Excellency the Captain-General, and that an attested Copy of the same be kept amongst the Records of the Mixed Commission, with the exception of the Log-book of the Brig *Maria de la Gloria*; of which it will be sufficient to note down, in the proper place, the date of the commencement and the conclusion.

That an attested Copy of the Proceedings of the Commission be likewise transmitted to His Excellency, for the purposes that may be considered necessary in the cause, relative to the conduct of the Captain of the aforesaid Privateer; and that, moreover, the two original Memorials, addressed by Don Antonio Ferreira da Costa to His Excellency, be annexed, which Documents came separate from the rest, and an attested Copy of which is left in the collection of the Proceedings carried on in this Court in defence of their powers; all this, in order that the proper Authority, to whom this Case may be transferred, may commence Proceedings with the knowledge of all that has passed in this Court upon the subject; and that, at the same time, the said Captain-General be requested to be pleased to direct, if, in the course of the Proceedings in the cause, relating to the conduct of the Captain of the Privateer, it should happen to be proved in any way whatever (as is within the bounds of possibility) that he carried on, directly, or indirectly, the traffic of Slaves, thus acquiring those in question, and that the *Portuguese* property was only apparent, that in such event, the

Case be returned to the Commission, for to the same it would belong, under the circumstance of the detention executed by the *Marte*, to condemn the Vessel, to declare the Slaves free, and to give them Certificates of Emancipation.

ANDRES DE JAUREGUI. H. T. KILBEE.

Havannah, July 16, 1824.

RAFAEL DE QUESADA.

No. 74.—H. T. Kilbee, Esq. to Mr. Secy. Canning.—(Rec. Sept. 15.)  
(Extract.) Havannah, July 31, 1824.

BOTH the Captain-General and Admiral Gaston have expressed their determination to make full Reports to their Government, relative to their respective conduct and proceedings in the Case of the Brig *Maria de la Gloria*, as detailed in my preceding Despatch.

The Right Hon. George Canning.

H. T. KILBEE.

No. 75.—H. T. Kilbee, Esq. to Mr. Secy. Canning.—(Rec. Sept. 15.)  
SIR, Havannah, August 3, 1824.

SINCE the date of my Despatch of the 30th of June last, I regret to say no less than *eleven* Vessels have cleared out from this Port for the Coast of Africa, the names of which are contained in the enclosed list.

Two suspicious Vessels have lately arrived, viz., the Schooners *Paulita* and *Feliciana*, both of which cleared out from hence for the Coast of Africa, the early part of the present year.

I have the honour, &c.

The Right Hon. George Canning.

H. T. KILBEE.

(Enclosure.)—List of *Spanish* Vessels cleared out for the Coast of Africa:—

July 1 . Brig .	Teresa . . .	D. Juan Bautista Aresti .	Master.
„ 8 . Schooner	Matilde . . .	D. Juan Lagreras . . .	„
„ 8 . „	Nueva Francisca	D. Ant. Muniz . . .	„
„ 8 . „	Viscayna . .	D. Andres de Meza . .	„
„ 8 . „	Tranquilidad .	D. Juan Mandial . . .	„
„ 11 . Brig .	Magico . . .	D. Jozé Inza . . .	„
„ 18 . „ .	Escupezuego .	D. Ant <sup>o</sup> . Palles . . .	„
Aug. 1 . „ .	Isabel . . .	D. Pedro Blanco . . .	„
„ 1 . Schooner	Española . .	D. Pedro Garcia Luna .	„
„ 1 . „	Pilades . .	D. Ant. Bourquet . . .	„
„ 1 . Bark .	Conchita . .	D. Franc <sup>o</sup> . Suarez . . .	„

No. 76.—H. T. Kilbee, Esq. to Mr. Secy. Canning.—(Rec. Sept. 18.)  
SIR, Havannah, August 18, 1824.

BY His Majesty's Ship *Icarus*, from Jamaica, I had the honour of receiving on the 14th Instant, the *Duplicate* of your Despatch of the 24th of February: the original has never reached me.

I wish particularly to call your attention to the interval that has elapsed between the date of that Despatch and its receipt, lest you should imagine that I had neglected to fulfil the Instructions you had been pleased to communicate therein, that I should collect the best information in my power as to the practice respecting the *manumission* and *free labour* of Slaves, said to exist in *Cuba*.

When this important subject, as connected with our own Islands, was brought before Parliament last year, I directed my attention particularly to the consideration of it, conceiving that it might not be unacceptable to His Majesty's Government to receive a Report respecting the state of the Law upon this matter, in the Colony of a Power which has, I believe, more than any other, encouraged the manumission of its Slaves. But I was soon induced to give up my undertaking, upon ascertaining that the Spanish Laws treat (if ever) only incidentally of the subject of African Slavery. That those which relate to Slavery in general are very ancient, being part of what are called "*Las leyes de las siete partidas*;" many of which are obsolete, and others abrogated, and that the system now in force, is derived principally from custom, not well ascertained, and from the decisions of Tribunals, not unfrequently at variance. I shall now, however, again direct my attention to the subject, and whatever information I may be enabled to obtain shall be forwarded to you with as little delay as possible, in a matter involved in considerable doubt and obscurity.

I have the honour, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

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No. 77.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. Sept. 18.)  
SIR, *Havannah August 18, 1824.*

ON the 14th Instant I had the honour to receive the Duplicate of your Despatch (the original never having reached me), in which you have been pleased to transmit to me, a *Declaration* concluded and signed at Madrid, on the 2d of February, 1824, in correction of a clerical error which had crept into the *Additional Article*, of the 10th of December, 1822, to the Treaty between Great Britain and Spain for the prevention of illegal traffic in Slaves.

I lost no time in forwarding this Declaration to my Spanish Colleagues, with a Note, of which a Copy is enclosed, in which I expressed a hope, although they should not yet have received the Declaration, that they would have no objection to consider it as valid, should any case occur for its application previously to its being officially communicated to them by their Government.

I have the honour to enclose likewise, a Translation of the Reply of the Spanish Commissioners, expressive of their willingness to accede to my suggestion.

I have the honour, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.



(Enclosure 1.)—*H. T. Kilbee, Esq. to the Spanish Commissioners.*  
GENTLEMEN, *Havannah, August 16, 1824.*

I HAVE the honour to forward to you a Translation of the *Declaration* signed at Madrid, on the 2d of February, 1824, by the Plenipotentiaries named for that purpose, by their Britannic and Catholic Majesties, in correction of a *clerical error* in the *Additional Article* of the 10th of December, 1822, to the Treaty of 1817, between Great Britain and Spain; in which a reference is made to the 14th Article of the Regulations for the Mixed Commissions, which ought to have been to the 13th Article of the same, according to the evident intention of the High Contracting Parties.

Although this Declaration should not yet have reached you, I hope you will have no objection to consider it as valid, in the event of any Case occurring for its application, during the interval until it shall be officially communicated to you by His Catholic Majesty's Government.

I avail myself, &c.

*The Spanish Commissioners.*

H. T. KILBEE.

(Enclosure 2.)—*The Spanish Commrs. to H. T. Kilbee, Esq. (Translation.)*  
SIR, *Havannah, August 17, 1824.*

WE have received with your Note of yesterday's date, the Translation you have been pleased to transmit to us, of the *Declaration* signed at Madrid, on the 2d of February, 1824, by the Plenipotentiaries named for that purpose, by Their Catholic and Britannic Majesties, in correction of a *clerical error* in the *Additional Article* of the 10th of December, 1822, to the Treaty of 1817, in which a reference is made to the 14th Article of the Regulations for the Mixed Commissions, which ought to have been to the 13th Article of the same. And although we have not yet received this Declaration from our Government, we shall consider it as a guide for our conduct, having been transmitted by you, to whose Communications we shall always give due consideration.

God preserve you many years.  
*The British Commissary Judge.*

ANDRES DE JAUREGUI.  
RAFAEL DE QUESADA.

(No. 78.)—*H. T. Kilbee, Esq. to Mr. Secy. Canning.—(Rec. Oct. 26.)*  
SIR, *Havannah, September 4, 1824.*

I HAVE the honour to enclose a list of *ten* Vessels which have sailed from this Port for the Coast of Africa since the date of my Despatch of the 3d of August. The name of the first, the *Morgiana*, ought to have been included in the List sent in that Despatch; but she sailed under *American* Colours for the Cape de Verd Islands, where, I was told, she was going for a Cargo of Salt. I have since, however, learnt from good authority, that she is really *Spanish* property, and that her destination is the same as that of all the rest. Thus within eight

months no less than *thirty-four* Vessels have sailed from this Port alone, notoriously, though not avowedly, for the purpose of engaging in the Slave Trade.

In a conversation which I had lately with the Captain General, I took occasion again to draw his attention to the circumstance, which I have frequently mentioned to you, of Vessels, that are well known to have come from the Coast of Africa, and which had sailed from hence for that destination, being publicly and indeed officially reported to have arrived from Sisal and other Ports at which they never had touched; and I alluded to the manifest consequence to be drawn from that circumstance, that there had been great negligence, if not connivance, on the part of the Officers whose duty it was to examine the Papers of such Vessels.

His Excellency expressed much regret at the apparent truth of my observation, but stated explicitly that, although one of his Adjutants went on board of every Vessel that entered the Harbour, it was only for the purpose of receiving and examining the Passports of Passengers; but that the examination of the Ship's Papers and the Report of the Place of her Departure, was a duty performed by an Officer belonging to the Naval Department, over which he had no control.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

(*Enclosure.*)—List of *Spanish* Vessels which have sailed for the Coast of Africa:—

July 31 . Brig .	Morgiana . . . .	Don Justo Sustache .	Master.
Aug. 11 . Schoon.	Clarita . . . .	Don Jozé Ant <sup>o</sup> . Artamoni	„
„ 17 . Brig .	Noticioso . . . .	Don Feliciano Jover .	„
„ 17 . Schoon.	Medusa . . . .	Don Marcelino Moran .	„
„ 23 . Brig .	Relampago . . . .	Don Santiago Manzana	„
„ 23 . Schoon.	Constante . . . .	Don Antonio Sanjurjo .	„
„ 23 . „ .	Chirigota . . . .	Don Franç. Aspeytia .	„
„ 23 . „ .	Iris . . . .	Don Domingo Zurbano	„
„ 23 . „ .	Dorotea, alias } La Deseada }	Don José Gardullo . .	„
„ 23 . „ .	Barbarita . . . .	Don Pedro Blanco . .	„

*No. 79.—Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, November 20th, 1824.*

I SEND to you for your information and guidance, a Copy of the Act (Cap. 113.) passed in the last Session of the Parliament of the United Kingdom, for amending and consolidating the Laws of this Country, relating to the Abolition of the Slave Trade; and for your further information and guidance, in respect to the 75th Clause of that Act, I send to you the Copies of a Correspondence which has passed

between this Office and His Majesty's Treasury upon the subject of the Enactment therein contained, for the transmission of certain *Lists* and *Returns* to His Majesty's Treasury.—[See Enclosures in No. 9.]

I am, &c

His Majesty's Commissioners.

GEORGE CANNING.

No. 80.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Dec. 1.)  
(Extract.) *Havannah September 20, 1824.*

SOME days after the Mixed Commission had adopted the Decree reported in my Despatch of the 31st of July last, in the Case of the Brig *Maria de la Gloria*; Antonio Ferreira da Costa, who, being the only one of the original Crew left on board by her Captor, the *Romano*, had come forward and claimed the Vessel and Cargo on behalf of the Owner, presented a Memorial, in which he urged the Court to direct the same to be given up to him. Upon which it was decreed that the determination already taken should be notified to the Memorialist, by which he would perceive that the Court had not the power to decide as to the legality of the detention of the Vessel in question by the Privateer *Romano*.

The same Individual again addressed a Memorial to the Mixed Commission on the 25th Ultimo, soliciting our interference with the Court of Admiralty, and enclosing a Representation to that Court, which the latter had refused to receive. Both these Documents are enclosed, and to the first is annexed the Resolution of the Mixed Commission, declaring that that Court had no authority to interfere under present circumstances. By them it appears that, when Ferreira da Costa first presented himself to the Court of Admiralty, and prayed that the Negroes might be taken out of the hands of Don Juan Perez, to whom, as Owner of the Privateer, it appeared peculiarly dangerous to intrust them, and deposited with another person, he was informed that, if he would give security for fifty thousand Dollars, as Perez had done, they should be deposited with him; but when unexpectedly he was enabled to produce security to a much greater amount, he was told that, being a Rebel to the Crown of *Portugal*, he could not be admitted as a Party, nor be heard at all in the Cause. He in vain alleged that there were then in Port two Vessels from *Brazil*, and others from the revolted Provinces of *Spanish America*, which were allowed to remain unmolested by the Government. The Court still persisted in the Resolution, and finally decreed that the Negroes should be distributed amongst the Planters of the Island, until the Case should be decided by His Catholic Majesty, to whom it had been submitted.

Ferreira da Costa applied a third time to the Mixed Commission, praying for a Copy of all the Proceedings in the Case, which was granted to him.

M. Pillero, a *French* Merchant established here, who has taken up

the cause of Ferreira da Costa, has waited upon me several times in the course of his official applications to the Mixed Commission; and upon one occasion he expressed his intention of having recourse to the British Government, in the hope of obtaining some assistance and protection against the injustice with which he considered that he had been treated by the Court of Admiralty here. I gave him explicitly my opinion, that no assistance or protection could be afforded to him in the present Case by the British Government or any of their Agents, the transaction being founded upon an act of illicit Slave Trading on the part of the *Portuguese* Vessel. I added that as for myself, if any of my Proceedings did indirectly afford assistance or countenance to his claim, it was because my object was that Slaves should not be introduced into the Dominions of His Catholic Majesty in express violation of the Treaty under which I acted, that being the point which principally and officially concerned me; but that I should not have hesitated in applying to the Government here to have the Vessel in question handed over to one of His Majesty's Ships of War, for the purpose of being carried to Sierra Leone or Rio Janeiro for adjudication, if I conceived for a moment that I were warranted in making such an application, and that there was any probability of its being acceded to.

The Memorials of Ferreira da Costa, affording me well-founded motives for believing that a decision had been taken in the Case, I addressed a Note on the 30th August to the Captain General, requesting His Excellency to be pleased to communicate it to me for the information of His Majesty's Government, such decision being intimately connected with the execution of the Slave Trade Treaty.

On the 31st the Captain General replied that he had forwarded my Note to the Naval Department; and on the 7th Instant he informed me that he had, under the same date, apprized the Mixed Commission of the result of the Proceedings of the Court of Admiralty in this Case.

In His Excellency's Letter to the Mixed Commission, are enclosed a Public and Secret Decree of that Court, by the first of which it is ordered that, until the final decision of His Catholic Majesty, to whom the Case has been submitted, shall be received, the Negroes shall be deposited upon certain conditions with the Planters and Inhabitants selected by the Court, upon the payment of a sum of money, by which means a fund would be obtained for the payment of the expences already incurred, and future expenses would be avoided.—The object of the Secret Decree is to impress upon His Catholic Majesty the danger to which the Island would be exposed by at once giving their liberty without restrictions to African Negroes just imported, and indeed it would appear from some of the arguments used, by giving it to them at all.

After duly deliberating upon the contents of those Decrees, I thought it advisable to address another Note to the Captain General,



to which I venture to request your particular attention, as containing the observations upon the Proceedings in the present Case which I consider it to be my duty to submit to your consideration. You will find that I have stated in substance that the Public Decree of the Court of Admiralty, in so far as regards the distribution of the Negroes, is in violation of Law and Treaty: that it is grounded upon a necessity which does not exist; that it imposes conditions for the care of the same, inadequate to their object; that their security is thereby greatly endangered; and that it assumes a power to that Court which belongs exclusively to the Chief Authority of the Island. I have alluded to the delay in the Case which appears to be attributed indirectly to the Mixed Commission, and to the circumstance of the reservation made by the latter, upon relinquishing the cognizance of the Case, having been totally disregarded by the Court of Admiralty. With respect to the Secret Decree, I have observed that, if its object were to impress upon His Catholic Majesty the inexpediency of granting unrestrained liberty to Negroes just imported, there could be no objection to the Court taking that step, which however was unnecessary, no such System having ever been in contemplation; but that, if the object were to recommend that the stipulations of the Slave Trade Treaty should not be carried into effect, the subject would necessarily call for the intervention of His Majesty's Government. And at the conclusion I have expressly declared that my observations were not to be considered as intended to point out to the Court of Admiralty the line of conduct they ought to adopt, nor as animadversions addressed by me to the Captain General upon their Proceedings: that they were made to my Government, because I conceived it to be my duty to do so, and were repeated to His Excellency in the spirit of fairness and justice, in order that those concerned might not be taken unawares, and might be prepared in the event of His Majesty's Government thinking it expedient, in consequence of my Report, to make a representation upon the subject to the Government of His Catholic Majesty. In consequence of the indisposition of one of the Spanish Commissioners, no resolution was adopted upon the subject of the communication made to the Mixed Commission by the Captain General, although it had frequently been taken into consideration, until the 18th Instant, when it was agreed that the Court, not being authorized to discuss the Proceedings of other Tribunals unless their own powers were concerned, should confine themselves to the circumstance of the reservation made in their Decree of the 16th of July having been totally disregarded by the Court of Admiralty; and that the observations, which it was thought necessary to make upon this point, should be communicated to the Captain General for the purpose, if His Excellency thought proper, of their being submitted to the King with the other Proceedings in the Case.

I have the honour to enclose a Minute of the Proceedings of the

Mixed Commission at this Session, together with Copies or Translations of all the Letters and Documents here referred to.

In the conduct which I have observed upon the present occasion, I have, to the best of my judgment, kept within the limits of the Instructions contained in the late Marquis of Londonderry's Despatch of the 27th of July, 1822. I have deviated from my usual practice of confining myself to verbal communications with the Captain General, on account of the great importance of the subject, and the length of the observations I thought it necessary to make. I had in recollection the Case of the *Antonica*, in which the Negroes were deposited with the Owners, and the subject referred to Madrid, from whence no decision has ever been received; and thus those Negroes have hitherto remained, and will in all probability remain, as Slaves, in the hands of their Depositaries, in direct violation of our Treaty. To prevent, if possible, a similar result in the present Case, has been my great object; and for this purpose I have called the attention of the Local Authorities to the subject, in the strongest manner that I considered my Instructions would justify, recording as it were, at the same time, the objections to the decision taken, previously to its being carried into effect.

*The Right Hon. George Canning.* H. T. KILBEE.

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(Enclosure 7.)—*Public Decree of the Court of Admiralty, in the Case of the Brig Maria de la Gloria.*

(Translation.) *Havannah, August 23, 1824.*

In the always most faithful City of Havannah, on the 23d day of August, 1824. His Excellency the President Don Miguel Gaston, &c. &c., and the other Members (here their names, titles, and employments, are inserted) of the Court of Admiralty, having assembled again, took into consideration all the Proceedings in this Cause, which have been before the Court upon the various occasions the subject has been treated of, and resolutions adopted in the same; the Memorial presented by the Agent of Don Jozé del Cotarro, Captain of the Spanish Privateer *Romano*, fitted out in this Port, was then read, and likewise the Representation of the Fiscal, in which, after analyzing the Process, he gives his opinion in what manner the Cause should be concluded for the present in this Tribunal. The motives upon which he grounds his opinion were attentively considered, and after a long and minute discussion, it was agreed unanimously, that the Court have not the power to decide upon all the points comprehended in this extraordinary Cause, now brought to a conclusion, respecting the detention by the aforesaid Privateer *Romano* of the Brig called the *Maria de la Gloria*, which latter was brought into this Port by the Brig of the Royal Navy named the *Marte*, the Lieutenant of a Ship of the Line, Don Jozé Apodaca, Commander, because the peculiar circumstances of the Case are not included in the Common Laws in force upon

the subject, nor does the great importance of the same admit of a prudential determination at once, by coming to the decision which exclusively belongs to this Court. They pronounced that the said Lieutenant Don Jozé Apodaca, Commander of the Brig *Marte*, acted well, and conformably to Ordinance, in bringing into this Port the *Maria de la Gloria*, with the cargo of four hundred African Negroes, and that the *Portuguese*, Antonio Ferreira da Costa, ought not to be heard in the Cause, according to the determination taken in the Proceedings respecting him under this day's date, which Individual, with the others of his Nation who came in the *Maria de la Gloria*, shall be placed at the disposal of His Excellency the Captain General of this Island, with a List of their Names, which shall be inserted in an attentive Official Letter, together with an authenticated Copy of this day's Proceedings, and of the Resolution of the Court in a separate sheet, in order that His Excellency may be pleased to give them the destination he may think advisable, and that he may be aware of what has resulted from the entrance into this Port of the *Portuguese* Vessel, and of the distribution of the aforesaid four hundred Negroes in deposit, which is to take place. It was likewise determined that an authenticated Copy of the Original Proceedings (autos), to prevent the possibility of their being lost, be submitted to our Lord The King, and that a duplicate of the same be remitted, should a better opportunity than the present offer itself for the Port of Cadiz, in order that the Royal Resolution may be declared respecting the detention effected by the Privateer *Romano*, and the consequences thereof, and respecting the disposal of the value of the detained *Portuguese* Vessel and her cargo; recommending at the same time to His Majesty to dictate the Rules which are to be observed in future in similar Cases, including the powers of this Court with respect to those of the Mixed Commission appointed for the fulfilment of the Treaty between our Lord The King and Great Britain, respecting the Slave Trade, in order that the obstacles may be avoided which for some time have obstructed the rapid course of the present Case, thereby occasioning enormous expenses in the maintenance of the Negroes and of the Crew of the Vessel; the manner likewise being worthy of observation, in which the Mixed Commission has carried on its Communications with this Court, not direct, as appears to be most obvious and simple, but through His Excellency the Captain General: and as, during the interval that must elapse before this delicate Resolution of the Supreme Government can arrive, the *Portuguese* Brig anchored in this Port, must be injured or destroyed by a long stay in this harbour, where it is so liable to be worm-eaten, it is to be sold by public auction, being previously valued by the different Masters of this Arsenal, and the produce of the sale kept in the Royal Naval Treasury until the final decision respecting the same. And moreover there being no pro-



per funds for maintaining this multitude of men, and it being inexpedient that they should remain in useless idleness, the Court adopted also the opinion of the above-mentioned Fiscal, that the Negroes should be distributed amongst Inhabitants and Planters of well-known responsibility and character, under the Regulations which have been meditated long previous to this day; the opinions of all the Members of the Court agreed upon the following Articles:—

1st. That this distribution be in quality of Deposit until the arrival of the above-mentioned Resolution of His Majesty; that the number of each lot shall not exceed ten or fifteen Negroes, and the period of returning them shall be within three days after notice given for that purpose, for the Depositaries who are Inhabitants of this City, or within four leagues' distance; and for those who are at a greater distance, within eight days. 2d. That the Depositary is to be bound to give wholesome and abundant food to the Negroes delivered to him, to clothe them according to the custom of the country; to instruct them in the Doctrines of our Religion, in order that they may receive Holy Baptism as soon as possible, to attend to them in sickness, and to pay the expense of the burial of such as may die. 3d. That the Negroes shall be employed solely in common labour, such as free persons perform, without being punished or ill-treated in any way. 4th. That their conduct be watched, and that they be prevented from committing any excesses, it being understood that the Depositaries shall be responsible for the same, conformably to the Laws in force upon this subject with respect to fathers of families, and persons who maintain others in dependence upon them. 5th. That during the time the Negroes remain in deposit, they shall not be allowed to contract matrimony, on account of the inconvenience that might be thereby occasioned in carrying into effect the determination which shall be taken respecting their destination. 6th. That a List, with a description of all the Negroes deposited with Don Juan Perez, shall be formed, distinguishing Males and Females, and the different classes as to age, which shall be done at the time of the distribution agreed upon. 7th. That in the event of the death of any of the Negroes in deposit, due notice be given in this City and its Suburbs to the Commissaries of Divisions, and in the Country to the Captains of Districts, the Justices of which shall attend personally with two Inhabitants of good reputation, to certify that the deceased Negro was really one of those deposited, for the ascertaining of which they shall examine those who live in the house, the neighbours, with any other persons, until they shall be convinced of the fact; they shall then make a Report, which the aforesaid two Inhabitants, in the presence of whom the whole investigation must be made, shall sign, and in which Report the description of the Negroes is to be inserted; and this, together with the Certificate of the Burial, is to be sent to His



Excellency the President of this Court, in order that the necessary steps may be taken at the expense of the Depositary. 8th. That for this purpose the Notary Public shall form a book in paper of the third stamp, which he shall keep, together with a certified Copy of the present Decree; in continuation, the List of the Names of the Negroes, and in separate Papers, when the distribution is to take place, the form of delivery to the Individuals the Court shall select, with the description of each Negro, and of which a legalized Copy shall remain with the Depositary, including the Negroes thus described, whom he shall take away, in order that when necessary the proper use may be made of the same. 9th. This Copy is to be presented to the Commissary of Division, or to the Country Justice, for the purpose of facilitating the investigation, in the event of the death of a deposited Negro, and for the ends mentioned in the 7th Article. 10th. That in case of a flight of any of the said Negroes, the Commissary of the Division, or the Captain of the District shall proceed to the investigation respecting such flight, together with two respectable Inhabitants, communicating the result to His Excellency the President of this Court, by a Report, in which shall be inserted the description of the absent Negro. 11th. For each of the Negroes distributed a sum of money shall be paid, the amount of which the Court will determine in another Session to be held for that purpose, previous to the delivery of such Negroes, which amount shall be in proportion to the great expenses occasioned in this Case, from the entrance into this Port of the four hundred Negroes, and those which may be occasioned in future with the Sick Negroes who are incapable of any service, and it shall be paid to the Person who shall be named by this Court. 12th. That for the ascertaining of the sum to be paid by the Depositary for the number of Negroes which shall be allotted to him in the distribution, the fund required being proportionate to the expenses mentioned in the preceding Article, Don Juan Perez shall present an account of the expenses he has incurred, and the taxer of the Court shall proceed without delay to tax the Costs in the present Cause, but confining himself to those arising from the Duties performed by the Official Ministers of this Court. 13th. That the aforesaid Don Juan Perez, at the time of presenting the account of his expenses, shall annex, in a separate sheet, the number of Negroes alive, distinguishing their sex and classes, and specifying whether they be in health or not. 14th. These Articles for the regulation of the Deposit of the Negroes shall have the applications and restrictions which circumstances may require, for their complete and perfect security. 15th. That the tenor of these fourteen Articles shall be notified to each of the Individuals who shall receive Negroes at the time of the distribution, and it must be stated, in the respective Lists, that they were fully apprised of the same, and that they were under the

express obligation to fulfil them in all respects under the most strict responsibility. Thus ordered and signed by His Excellency the President, and the other Members of the Court, conformably with the opinion of the Auditor.

MIGUEL GASTON,

&c. &c. &c.

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(Enclosure 8.)—*Secret Decree of the Court of Admiralty, in the Case of the Brig Maria de la Gloria.*

(Translation.)

Havannah, August 23, 1824.

IN the always most faithful City of Havannah, on the 23d August, 1824, His Excellency the President, and the other Members of the Court of Admiralty, together with the Auditor and Fiscal of the same, remaining assembled for the purpose of drawing up the Secret Decree determined upon at the Session held this day, respecting the detention of the *Portuguese Brig Maria de la Gloria*, by the Spanish Privateer Romano, Don Jozé del Cotarro, Captain, which Brig was brought into this Port by the Sloop-of-War *Marte*, commanded by Lieutenant Don Jozé Apodaca, declared that not considering it to be prudent to give publicity, in the Report of the Proceedings at the above-mentioned Session, to the observations which the Court have to submit to the consideration of His Majesty, respecting the destination of the Negroes composing the Cargo of the detained Brig, they did it in the present form, stating that it would produce the most fatal consequences to the tranquillity of this Island, if the Africans should be allowed to remain here; for this class of men, when in a state of Slavery, engaged in field labours, in which they are chiefly employed, are maintained in subordination to their Masters, or to the persons who superintend them in their labours; but when they succeed in obtaining their liberty, they become immoral, do not apply themselves to work, and are distinguished in this populous Town for the crimes of every species, which they commit, from whence arises the well-founded apprehension of the Inhabitants that, if the number of the free Negroes were augmented to an equality with that of the Whites, they would conspire against the latter, as they did in the *French* part of *Saint Domingo*; for which reasons the Court have considered it to be their bounden duty to make this indication, on account of the fatal results that may happen if the Negroes brought in the *Portuguese* Brig be allowed to remain in the Towns at once free; without thinking it necessary to mention the important and well-founded motives for which all Nations that have had, and that have Slaves, have dictated precautionary measures, in order not to increase the number of those emancipated, the Court being persuaded that addressing this short Statement to the enlightened zeal of our Lord The King, His Majesty will perceive how much the security of this precious part of the Monarchy is endangered by the introduction therein of a portion of free Negroes, who, united with those we already

have, would probably disturb the tranquillity we enjoy : and the said Members signed the same.

MIGUEL GASTON, and the other Members.

(Enclosure 9.) — *H. T. Kilbee, Esq. to the Captain General.*

SIR,

Havannah, September 12, 1824.

I HAVE perused with due attention the Decrees of the Court of Admiralty in the Case of the Brig *Maria de la Gloria*, which, as your Excellency stated to me in your Letter of the 7th Instant, you were pleased to transmit to the Mixed Commission under the same date; and, in conformity with the practice I have always adopted, of apprizing the Chief Authority of the Island of those apparent violations of the Slave Trade Treaty, which I conceive it to be my duty to report to my Government, I shall proceed to make to your Excellency the observations that have occurred to me respecting the decision taken in this Case, in as far as I consider the same to be in contravention of the letter or spirit of that Treaty.

The Provision of the Public Decree of the Court of Admiralty, to which I would principally call your attention, is that by which it is directed that the Negroes belonging to the Brig *Maria de la Gloria* shall be placed in deposit, upon certain conditions, with individuals who are to pay a sum of money for the same. By this measure I conceive the Negroes are virtually reduced to a state of temporary Slavery; for their services being disposed of for a pecuniary consideration, without their participation in the same, and without their consent, they are to all intents and purposes Slaves under another name; and the Persons with whom they are deposited are as much entitled to their services for a limited time, as a purchaser is to those of a common Slave. The measure is therefore in violation of the *Treaty* of 1817, and likewise of the Royal *Cedula* issued in consequence of the same, by virtue of which no newly imported Negroes can remain as Slaves in the dominions of His Catholic Majesty.

Two motives are alleged as the chief grounds for the adoption of this measure, namely, the want of funds for maintaining the Negroes in future, and the necessity of paying the expenses already incurred; by neither of which, I humbly conceive, can it be justified, even supposing that any necessity could justify an infraction of Law and Treaty.

As to the first, the difficulty is at once got over, a Person having presented himself on behalf of the *Portuguese* Owner of the *Maria de la Gloria*, who is ready to accept of the deposit of the Negroes, giving ample security for their preservation, and subscribing to the conditions that may be imposed by the Government.

As to the second, which relates to the expenses that have already been incurred in Law-charges and in the maintenance of the Negroes,

it appears to me that, until the Case be finally decided, they should properly be borne by the Person who alone has occasioned all the present difficulties, namely, the Captain of the Privateer *Romano*, and, in his default, by the Owner of the same, Don Juan Perez. The charge of maintaining the Negroes was voluntarily assumed by the latter; and when that individual came forward, and, although a party in the transaction, was recommended by the Fiscal, and approved by the Court of Admiralty, as the proper Depositary of the Negroes, he could not have been ignorant, and much less the Fiscal and the Court, that, however responsible for any illegal conduct on the part of the Privateer, he never could, under a legal decision, whatever it might be, derive any profit from the Negroes, or be entitled to any property in them, inasmuch as, since the Abolition of the Slave Trade by His Catholic Majesty, none of His Subjects can legally acquire property in Negroes imported subsequently. Perez therefore, having voluntarily taken upon himself the charge of Depositary of the Negroes, for the reasons he best knows, although he, and the Tribunal that appointed him, were perfectly aware that he could in no case be declared Proprietor of the same, having persisted in holding this charge, although the above-mentioned individual presented himself on behalf of the *Portuguese* Owner at an early stage of the Proceedings, and proposed that another Depositary should be named; and moreover, as Owner of the Privateer, being answerable for all her acts, and consequently bound to pay all the expenses attending the capture of the Slave Vessel, at least until such capture be declared legal, I do not think that he is entitled at present to the disbursement of his expenses.

These observations have been made under the supposition that the capture of the *Maria de la Gloria* by the Privateer was effected under ordinary circumstances, and that there are no obvious reasons for doubting its legality. The fact I conceive to be far otherwise, as will appear by the following statement, which results from the Proceedings had before the Mixed Commission.

The Privateer Brig *Romano* sailed from this Port on the 2d of December last, with Letters of Marque authorizing her to cruize against the enemies of His Catholic Majesty, by which was understood the *French* Nation, although it was well known here at that date that the war between *France* and *Spain* had been brought to a conclusion. Her powers to act were limited to "*los Mares de Indias*," [the American Seas], and yet she proceeded almost direct to the Coast of Africa, and after several other captures, fell in with and took the *Maria de la Gloria*. All the Officers and white people of the Crew, with the exception of one individual, a common sailor, and the whole of her Papers, were taken out of the Prize, which was then manned, and sent to this Island, for the professed purpose of adjudication by the Mixed Commission established here, although that at *Sierra Leone* was very near at hand;



and she was finally detained by the *Marte* under circumstances which, I will take upon me to say, preclude any reasonable doubt that the object of the Captain was to land the Negroes clandestinely. At the time of the detention there was no one of the *Portuguese* Officers on board, and none of the original *Portuguese* Papers. Papers, indeed, were produced, but such as it would be absurd to imagine that a person, considered by the Marine Department here as fit to be entrusted with the command of a large Privateer, should for a moment believe sufficient to authorize any Tribunal whatever to condemn a Prize or declare her capture legal.

Under all these circumstances, I cannot perceive the expediency of adopting a measure in violation of Law and Treaty, for the purpose of reimbursing, and saving from other expenses, the individual who, as Owner of the Privateer, is necessarily responsible for all the consequences of the capture.

With respect to the distribution of the Negroes, (supposing that measure to be legal,) and the conditions imposed by the Court of Admiralty upon those who pay their money for them, I must express my conviction that those conditions will be found inadequate to the attainment of their object, that is, the security and good treatment of the Negroes, since there is no penalty specified for the non-performance of the same; nor does the purchaser in any case forfeit his right to the services for which he has paid, it not being provided that the Negroes, under any circumstances, can be released from the services they are bound to perform for the Master that the Court of Admiralty may have selected for them, nor can they demand a change of Masters. So that their lot, in this respect, is harder than that of common Slaves, especially those who are "*coartados*," under the Spanish Law. The Third Article of the Conditions, in particular, appears to be very humane, directing, among other things, that the Negroes shall not be punished; but, if they are punished, (and it is difficult to believe, that they will not be,) where is the remedy? Is it to be supposed that a newly-imported Negro will go to the Court of Admiralty to demand redress of his Master or Depositary, even supposing that that Court had reserved to itself the power of giving him relief, which it has not? That Article, therefore, and those of a similar description, must be considered, not only as inadequate to the attainment of their professed object, but as altogether nugatory.

There is a reflection connected with this measure of distribution, to which I cannot avoid alluding. The decision of the Spanish Government, solicited by the Court of Admiralty, may easily be received within six months, or even less; and will, beyond all doubt, be to the effect, either that the Negroes be declared free, or that they be delivered up to the Portuguese Owners, and sent out of the Country—the latter alternative being more probable. I ask, then, what *bonâ*

*fide* Purchaser would give fifty dollars, (by public report that is the sum fixed upon,) or indeed any sum, for the services for so short a period of a "bozal" Negro just imported? Is it not to be presumed that those who come forward to purchase under such circumstances will have plans of remunerating themselves more certain than the mere labour of the Negroes? Your Excellency's penetration renders it unnecessary to pursue this reflection any farther; but I would advert to the heavy responsibility that would be incurred by the adoption of the measure in question, if it should be found that, at the expiration of the period of the deposit, a considerable number of the Negroes are not forthcoming.

But the distribution, or rather the entire disposal of the Negroes, whether it be by distributing them among private individuals, or employing them in the service of Public Establishments until they shall be able to maintain themselves, is, I conceive, (in conformity with the spirit of the Treaty of 1817,) the exclusive province in all Cases of the Chief Authority of the Island. The Seventh Article of the Regulations for the Mixed Commissions, annexed to that Treaty, is clear and explicit upon this point in the Case of Negroes emancipated by those Commissions; and although the Royal Cedula of December, 1817, is silent upon the subject, yet, having been issued in consequence of, and in conformity to, the Treaty, it would seem that, in doubtful matters, it should be understood with reference to the same. The Tribunals of the Country consequently may, like the Mixed Commission in certain Cases, condemn Slave Vessels, declare the Negroes to be free, and give them their Certificate of Emancipation; but there their powers cease, and the Negroes should then be delivered over to the Chief Authority. There are other strong reasons for the adoption of this arrangement, which the High Contracting Parties probably had in view when they thought it expedient to separate the important duty of the care of the Negroes after Emancipation from the Mixed Commissions. It would appear that they considered the Chief Authority of the Country alone as adequate to this charge, because he, as presiding over the internal Police, is the only one responsible for the conduct of such Negroes; and moreover the only one that has sufficient power to impose and exact the fulfilment of such conditions as may be judged necessary for the care and preservation of the same, and for securing to them the enjoyment of their liberty without restrictions at the expiration of a reasonable period. Even therefore, had the Court of Admiralty been authorized to condemn the Vessel, and emancipate the Negroes, the distribution would not have been within its powers; and much less so in the present Case, in which that Court itself expresses doubts of being warranted to pronounce any decision whatever.

Under this view of the subject, the Decree of the Court of Admi-

ralty, in so far as it regards the distribution of the Negroes upon the terms expressed, is in violation of Law and Treaty; those Negroes being thereby virtually reduced to a state of slavery. It alleges as grounds for the adoption of the measure, the want of funds to defray past and future expences; when there is an Individual bound by every consideration of law and justice to be answerable for the former; and another voluntarily disposed to take upon himself the payment of the latter; it imposes conditions for the care and good treatment of the Negroes, inadequate to their professed object, and indeed altogether nugatory; it involves a consequence from whence arises a well-founded suspicion that the future security of the Negroes would be in imminent danger; and, finally, it assumes a power to that Court which exclusively belongs to the Chief Authority of the Island, deposited in your Excellency's hands.

The Court of Admiralty having thought proper, in the above mentioned Decree, to allude to the delay that has taken place in this Case, it will be necessary to notice the subject. The Brig *Maria de la Gloria* entered this Port on the 17th of June, but her Case was not submitted to the cognizance of the Mixed Commission till the 9th of July; and on the 17th of the same, the Decree of the Court and Copies of all the voluminous Proceedings were transmitted to your Excellency. So that the delay certainly cannot be attributed to the Commission.

The interval from the 20th of June to the 9th of July was passed in the contest respecting the cognizance of the Case, which point, when divested of all extraneous matter, which only serves to perplex and to confuse, is reduced to the simple question—whether the Case of a Slave Vessel detained and carried into this Port by one of His Catholic Majesty's Cruizers, duly provided with the Instructions annexed to the Treaty, is of the jurisdiction of the Mixed Commission or of the Court of Admiralty? Your Excellency has decided this question; and I trust that the approval by your Government of that decision will preclude all future discussion upon the subject.

Your Excellency will recollect that the Court of Admiralty always claimed the cognizance of the Case of the *Maria de la Gloria*, upon the ground that that Vessel had been originally captured by the Privateer *Romano*, and that it belonged exclusively to that Court to judge of the conduct of the latter in making that capture; and as soon as the Mixed Commission had ascertained that there were well-founded motives for believing that such was the fact, they immediately abstained from further Proceedings, and relinquished the cognizance of the Case, with the reservation however, “that if, in the course of the Proceedings respecting the conduct of the Captain of the Privateer, it should be proved (as was within the bounds of possibility) that he had himself acquired the Negroes by Traffic direct or indirect, and that the *Portuguese* property was only apparent, in that Case the process should be returned

to them, for to the Commission it would belong, in consequence of the detention by the *Marte*, to condemn the Vessel, to declare the Slaves free, and to give them their Certificate of Emancipation." Under these circumstances, it is worthy of observation that the Court of Admiralty in their Decree have entirely refrained from touching upon this most important point, upon which it was their peculiar province to decide, and for which decision it certainly appears that they had sufficient grounds; thus utterly disregarding the reservation made by the Mixed Commission.

With respect to the Secret Decree of the Court of Admiralty, I have only to observe that, if its object be to impress upon His Catholic Majesty the inexpediency of allowing Negroes in the state of those belonging to the *Maria de la Gloria*, to enjoy at once an unrestrained liberty, I entirely coincide as to the propriety of that object; but I apprehend that such a System never was in the contemplation of the Parties to the Treaty, or of the Government of this Island. Your Excellency at least, I have reason to believe, was prepared for the event of the Negroes being declared free by the Mixed Commission, and had resolved upon the adoption of a System respecting them, which would at the same time have secured their permanent welfare, and the order and tranquillity of the country. But if the object of that Court be (as it would appear from the tenor of their observations) to recommend to His Catholic Majesty not to carry into effect the Stipulations of the Treaty of 1817, nor the Provisions of His Royal Cedula issued in consequence of the same, the subject is of a more important nature, and will necessarily call for the intervention of His Britannic Majesty's Government.

Such are the observations I have felt it to be my duty to make to my Government respecting the Proceedings in the Case of the *Portuguese Brig, Maria de la Gloria*; and as, in the course of them, I have necessarily had frequent occasion to advert to the measures adopted by the Court of Admiralty, I beg leave explicitly to state, that I have done so by no means with the intention of venturing to point out to that Tribunal the line of conduct they ought to adopt. Neither are my remarks to be considered in the light of animadversions addressed by me to your Excellency upon the Proceedings of the same, a step I am not authorised to take. I make the observations to my Government, because I conceive it to be my duty to do so; and I repeat them to your Excellency, in the most perfect spirit of fairness and justice, in order that you, and any Department they may concern, may not be taken unawares, and may be prepared in the event of His Britannic Majesty's Government thinking it expedient, in consequence of my Report, to make a Representation upon the subject to that of His Catholic Majesty.

I avail myself of this occasion, &c. &c.

*His Excellency the Captain-General.*

H. T. KILBEE,



(Enclosure 10.) *Minute of the Proceedings of the Mixed Commission.*  
(Translation.)

IN the always most faithful City of Havannah, on the 18th of September, 1824, the Members of the Mixed Commission met (as they had done upon some previous occasions,) for the purpose of taking into consideration the preceding Official Letter of His Excellency the Captain General, and the Copies of the Proceedings of the Court of Admiralty, which Documents were read with attention, and after a long conference respecting them, in which the principle was laid down that it did not belong to the Commission to discuss the Proceedings of the Tribunals of the Country, unless the peculiar powers of the former are concerned, the said Members resolved unanimously that, without losing sight of that principal, they could not avoid observing that, by the above-mentioned Copies of their Proceedings, it appears that the Court of Admiralty have abstained from inquiring into, or at least from pronouncing an opinion respecting the conduct of the Captain of the Privateer in the capture of the Brig, *Maria de la Gloria*, a conduct which well deserved to be scrupulously examined into, for having sent in that Vessel without her Captain, without any of her Officers, and even without her own Papers; which omissions, added to the circumstance of the Privateer being upon the Coast of Africa, although her Commission was limited to the American seas, and also to the course taken by the captured Brig with her cargo of Negroes at the time she was detained by His Catholic Majesty's Brig, *Marte*, give rise to serious and obvious suspicions: influenced by these considerations, the Commission, upon the occasion of transmitting the Cause to His Excellency, made the special reservation of re-assuming the cognizance of the same, if, in the course of the Proceedings to be taken respecting the conduct of the Captain of the Privateer, it should be discovered that he had in any way been concerned in the traffic by which those Slaves were acquired; which reservation is rendered nugatory, the same suspicions still existing; and the Mixed Commission, therefore, make this observation, limited however to this particular point, without touching upon the others contained in the Copies of the aforesaid Proceedings.

And considering that the Captain General will make to The King a full Report of this Case, the said Members resolved that an Official Letter should be addressed to His Excellency with a Certified Copy of this Resolution, in order that, if he thinks proper, he may likewise submit the present observation to His Majesty for the purposes that may be judged necessary; and they signed this in the presence of the Secretary.

JAUREGUI. H. T. KILBEE. QUESADA.

September 18, 1824.

RAFAEL GONZALEZ, Secretary.

No. 81.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Dec. 1.)

SIR,

*Havannah, September 20, 1824.*

THE disposal of Negroes, emancipated under the Slave Trade Treaty, is a subject which, in consequence of the Proceedings in the Case of the *Maria de la Gloria*, will probably be taken into consideration by the *Spanish* Government; and I venture to suggest to you the expediency of its being declared by that Government, that such disposal should be confided in all Cases to one Authority alone, and that of course the Chief of the Island.

This arrangement is in conformity with our Treaty, and would, I conceive, be productive of many beneficial effects to emancipated Negroes. The mode of treating them would thereby be rendered uniform; and the Chief Authority would be better able, and I will venture to say better inclined, than any other to exact the fulfilment of such conditions as may be considered necessary to ensure to them good treatment, and the future enjoyment of their liberty without restrictions.

The great danger to which such Negroes would be exposed, while in the hands of the Persons with whom they should be deposited or apprenticed, would be that, by being reported as dead or run away, and substituted in the place of deceased Negroes, they should thus be reduced to a state of Slavery. To guard against this evil is no easy matter; but I would recommend that, independent of any other punishment which might be inflicted upon the perpetrator of so foul a crime, he should be liable to the payment of a fine of four or five hundred dollars (about the value of the Negro); the half of which should be given to the Person denouncing the transaction. I would likewise recommend, that there should be appointed a Superintendent of emancipated Negroes, whose duty it should be to visit them and see how they were treated, and to make a Monthly Report upon the subject to the Captain General and to the Mixed Commission, the appointment and removal for misconduct of which Officer, I should certainly wish to see in the hands of the latter. His salary might easily be obtained by requiring the Individuals, with whom such Negroes should be deposited, to pay four or five dollars a-year for each Negro; and he would thus have a direct interest in their preservation.

While I am upon this subject, I cannot avoid mentioning, that when the Case of the *Maria de la Gloria* was first submitted to the Mixed Commission, it being generally believed that the statement of her being *Portuguese* property was a mere fabrication, and that she was really *Spanish*, and would consequently be condemned and the Slaves emancipated; the Captain General did me the honour to consult me frequently respecting the disposal of the latter, manifesting a warm interest upon the subject, and a decided disposition to adopt

any arrangement calculated to promote their comfort, happiness and security.

I have, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 82.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Rec. Dec. 1.)*  
(Extract.) *Havannah, September 20, 1824.*

THE great number of Vessels that have lately sailed from hence for the Coast of Africa, rendering it probable that some of them may be fallen in with, and detained on their return by His Majesty's Ships on this Station, I take the liberty to suggest that the latter may all be furnished with the Instructions required by Treaty.

I mention this subject because in the course of conversation, some time ago, with the Commanding Officer of one of the small Schooners fitted out at Jamaica for acting against Pirates, and which is just the kind of Vessel likely to fall in with a Slave Trader, he informed me that he was not provided with these Instructions; adding, that his Vessel did not require them, as she was to be considered as a tender belonging to the Flag Ship at Jamaica, which was duly authorized to detain Slave Vessels. I am quite convinced that my Spanish Colleagues would not be satisfied with this argument. Captain Forbes likewise, of His Majesty's Ship, *Thracian*, lately shewed me what he conceived to be the proper Instructions for detaining *Spanish* Slave Vessels; but, although he had several Orders and Documents which related to the subject, he was not in possession of the Original Instructions annexed to the Treaty. The Vessel has been a good while from England, and has, I believe, frequently changed Commanding Officers; in which changes, the Document in question has probably been mislaid.

There is another point connected with His Majesty's Ships in these Seas, destined to cruise against *Spanish* Slave Vessels, to which I would request your attention; namely, the expense of maintaining the Negroes from the time of the entrance of a detained Slave Vessel into this Port, until her condemnation.

This is a very important consideration, on account of the extreme dearness of every thing in this Country.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 83.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Rec. Dec. 1.)*  
SIR, *Havannah, September 21, 1824.*

SINCE the date of my Despatch of the 4th of September, three Vessels have cleared out for the Coast of Africa; namely, the Ship *Urraca*, Don Juan Ferrer y Roig, Master, nominally for the Island of Madagascar, but really destined for Mosambique, and the Schooners, *Josefa* and *Feliciana*, Don Joze Antonio Tomas and Don Jayme Aulet, Masters, for St. Thomas'. The first is a large Ship well armed, and

having a Crew, I understand, of upwards of eighty men. The other two are old Slave Traders.

*The Right Hon. George Canning.*

I have, &c.

H. T. KILBEE.

No. 84.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Dec. 28.)

SIR,

*Havannah, October 9, 1824.*

THE enclosed *Memorandum* contains the information which, in obedience to the Instructions communicated in your Despatch of the 24th February, I have been enabled to collect, as to the practice respecting the *manumission* and *free labour* of Slaves, existing in this Island. I have consulted the most eminent lawyers and individuals connected with the Government upon the subject; and I venture to assure you that you may rely upon the correctness of the statement, as far as it goes, which I have now the honour to submit to you.

With respect to the *Memorandum* enclosed in your Despatch above referred to, it is incorrect in supposing that Negroes are appraised at 400 dollars, or any fixed price. I have known one sell for 1000 dollars; but the Tribunals will not permit such excessive valuations, when made for the purpose of enabling the Slave to liberate himself, or to improve his condition. Eight hundred dollars may be considered the maximum in such cases; and even this is thought high. Full-grown Negroes on Plantations are, one with another, generally valued at 500 dollars; house servants may be averaged at 600; and mechanics at rather more. Even those imported clandestinely are, I understand, sold for upwards of 400 dollars; and previous to the Abolition, when Colonial produce was much higher than at present, prime Negroes newly imported sold for 500 and 550 dollars, cash. The *Memorandum* is also incorrect in stating, that "if the Master requires the service of his '*Coartado*' Slave, he can oblige the man to work, paying the Slave a certain sum;" the fact being that in all cases the Master is entitled to the service of his Slave, whether '*Coartado*' or not, without any remuneration whatever. You will find, by the enclosed statement, how far this principle is modified in practice. The *Memorandum*, moreover, confounds *Reales de Vellon* with *Reales de Plata* (those alone current in all Spanish America); of the former of which there are twenty to the dollar, of the latter only eight.

If there should be any question of introducing into the British Possessions the system respecting Slaves which exists in this Island, there are some circumstances favourable to the Slave which are peculiar to the latter, and ought to be had in recollection.

Wages here are extremely high: a common field Negro earns four reales a day, and is fed; the salary of a regular house servant is from twenty to thirty dollars a month, besides being fed and clothed; and mechanics are paid from ten bits, or reales, to three dollars a day. With



such wages, the "*Coartado*" Slave, who works out, is well able to pay his Master the daily quota proportioned to his price, and to lay by something towards the future attainment of his liberty; but it is evident that it would be impossible to do either, were wages much lower.

The large White Population, too (much greater in proportion than that of any of our West India Islands), is a great advantage to the Slaves, from the facility thereby afforded them to change Masters, by which many of the evils attending their state are in some measure remedied. The lot of household Slaves, who derive most benefit from this circumstance, is particularly favourable. They are almost always taught some trade, and are commonly shoemakers, or tailors, or segarmakers; and by well employing their leisure hours, they may easily acquire their liberty in seven years. Field Slaves, too, have their advantages. They are by Law entitled to a certain quantity of ground, with the produce of which, and the breeding of pigs and poultry which they sell at a great profit (all sorts of provisions being very dear), they may well look forward to acquiring money sufficient to become "*Coartado*," and finally to being emancipated at no very distant period. It is also highly advantageous to the Slaves here, that public opinion, formed by time and custom, is favourable to granting them their liberty; and there is not a respectable man who would not feel ashamed to throw any obstacles in the way of a well-conducted Slave becoming free; on the contrary, my experience enables me to say that Masters are generally very willing to assist their Slaves in the attainment of this most desirable object.

The effects of the system in force here are fully seen by the state of the population of the Island; the last Census which, though not very exact, is sufficiently so for the present purpose, making the Whites 290,000, the free people of Colour 115,000, and the Slaves 225,000.

I have the honour &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

*(Enclosure.)—Memorandum relating to Slaves in the Island of Cuba.*

*Havannah, October 9, 1824.*

It has been the practice, at all times, of the Courts of Justice in the Island of Cuba, to approve and sanction such regulations as tend to meliorate the lot of Slaves; and this has gradually given rise to a System respecting them which, though principally founded upon custom, has acquired the force of Law, and many parts of which have been referred to, and confirmed in Royal Decrees of the Kings of Spain.

One of these beneficial Regulations is, that there is a public Officer, in every District, namely, the Syndic of the Ayuntamiento, who is the Official Protector of Slaves, and whose presence is necessary at every legal decision in which they are concerned, of which Officer mention will be made in the course of the following observations.

Slaves in the Island of Cuba may be divided into two Classes : those who are in *Venta Real* (Royal Sale), that is, who may be sold by their Master for any sum he chuses to demand ; and "Coartados," that is, those whose Slavery is as it were limited ; this consists in a price being fixed upon them, which cannot be increased at the will of the Master.

Slaves may acquire their liberty by the mere grant of their Master, either during his life, or by testament ; and the only formality necessary is, that they should receive a Certificate called a "*Carta de Libertad*." No security, as in the British Islands, is required that they shall not become a charge to the Parish ; but Masters would not be allowed to Emancipate such Slaves as from old age or infirmity are unable to labour, unless they provide for their future maintenance.

If a Slave can prove that a promise of Emancipation has been made to him by his Master, the latter will be compelled to perform it ; and the parts of Wills which relate to this subject are always interpreted in the most favourable manner to the Slaves.

They may likewise obtain their liberty by purchasing it, and in this case the Master is not allowed to fix an arbitrary price ; but if he and the Slave cannot agree upon it, two appraisers are named, one by the Master, and the other by the Syndic of the Ayuntamiento on the part of the Slave ; and in the event of a difference of opinion, the Judge names an Umpire. Transactions of this nature are so much encouraged by Law, that the Master, when his Slave purchases his liberty, is exempted from the payment of Alcabala, which is a duty payable by the Vendor upon all sales, and in those of Slaves amounts to six per cent. on the purchase-money. A Master will be compelled to sell his Slave, if the purchaser will engage to emancipate the latter at the expiration of a certain reasonable period. Masters who ill use their Slaves will likewise be compelled to sell them, and the valuation in both these cases is to be made in the manner above referred to. It is, of course, understood that a valuation is required only in case the Slave be in "*Venta Real*."

When services have been rendered to the State by Slaves, it has always been the custom to give them their liberty ; but in this case the Government previously pays the Master their value.

A Slave once emancipated cannot be again reduced to Slavery. Some opinions which have been given by the Courts here, and have been confirmed by the Council of Indies in Spain, will show how strictly this principle has been followed.

A Spanish Vessel called "*Nuestra Senora del Carmen*," with 94 Negroes on board, was captured in the year 1795, by *L'Enfant de la Patrie*, a French Privateer, the Captain of which, not knowing what to do with the Negroes, as he could not sell them in the French Co-

lonies where the Trade was abolished, gave them up to the *Spanish* Captain, together with a Document, in which he declared that he ceded them to the latter, in so far as was consistent with the laws of humanity and those of his Country. The Vessel afterwards arrived at The Havannah, and the Negroes were sold. Subsequently disputes as to accounts arose among the Owners, and a lawsuit was commenced; in the course of which doubts were expressed by the Court of the legality of the sale of the Negroes, it being held that the French Captain could not cede what he could not possess by the Laws of his Country; that is, any property in the Negroes, who the moment they fell into his hands became virtually free. This point was referred for the decision of The King, and it was resolved by His Majesty in the Council of the Indies, that the Slaves should be emancipated, their sale having been illegal.

In the same year, the "*Brutus*," another *French* Privateer, captured the *Two Brothers*, an English Ship, with 207 Negroes on board, bound to The Havannah; and subsequently gave up the Ship, Cargo, and Negroes, to Don Juan Pica, the Captain of a *Spanish* Vessel which had been previously taken by the "*Brutus*," upon consideration of receiving 25,000 dollars.

The Vessel then proceeded to The Havannah, where the Negroes were sold. A lawsuit, however, was commenced between Pica and the English Owners, and doubts, as in the former Case, were expressed by the Court of the legality of the sale of the Negroes, and the Case was referred to Madrid. It was there finally decided, but not till the year 1817, that the Negroes and their descendants, if there were such, should be emancipated, upon the ground that having been captured by a Vessel belonging to a Nation which had abolished the Slave Trade, they from that moment became free, and could not be again reduced to Slavery by a subsequent cession. From the great lapse of time between the sale of the Negroes, 1795, and the final decision which was received in 1818, few of the former could be discovered. Eight, however, were emancipated, some of them being children of those originally captured.

It is said that this principle was once carried still farther in a case in which a Slave purchased his liberty with money robbed from his Master, which robbery was afterwards discovered, and upon the Master applying to have the *Carta de Libertad* which he had given, cancelled, and his Slave restored to him, it was held by the Court that the Slave being once free, must always remain so, and that the Master could only prosecute him for the robbery.

It has not been possible to ascertain with certainty whether this decision did ever take place, but if it did, it must have been in one of the Inferior Courts.

Its legality, however, is questioned by the best-informed lawyers, who consider the transaction as null in toto, having been founded in crime. Indeed it is generally allowed that a Master may refuse his Slave to grant him his liberty, if the purchase-money has been improperly acquired. A case in point has very lately occurred. A Slave applied to a Judge to direct that he might be valued for the purpose of purchasing his liberty; but the Master objected that, shut up as he (the Slave) had been, during his whole life on a sugar estate, it was impossible that he could legally have acquired so much money.

The Court, although acknowledging the principle that the illegal acquirement of the money was a sufficient bar to the demand of the Slave, held that such illegal acquirement must be proved by the Master, as it would be too hard upon the Negro to oblige him to account for all the money he had ever received.

Next to obtaining his liberty, the great object of the Slave is to become *Coartado*. This has been before stated to consist in his price being fixed, and for this purpose the Master gives him a Document called an *Escritura de Coartacion*, by which he binds himself never to demand more than a certain sum for the Slave, which sum is always less than the actual value of the latter, but has no relation whatever to the price originally paid for him.

As Slaves may acquire their liberty, so may they be "Coartados" at the pleasure of their Master. They may likewise become so by paying him a part of their value. There is scarcely a case in which this arrangement is objected to; but were there any difficulty, the form would be for the Slave to apply to a Court of Justice, through the Syndic, to be valued, and then pay a reasonable sum, (50 or 100 dollars) to his Master, who would be obliged to give him an *Escritura*, expressing that he was *Coartado* in the difference between such sum and his estimated value. Thus if a Slave be valued at 600 dollars, and pay his Master, 100, he will remain *Coartado* in 500; and no greater price can be demanded for him, whether he be sold to another Master, or be himself enabled to purchase his liberty. The Slave also, who is already *Coartado* in a certain sum, may pay any part of it, (by custom not less than 50 dollars,) and his Master is bound to admit the same. Again, if a Master be about to sell his Slave, the latter may oblige the purchaser to receive any part of the purchase-money, and remain *Coartado* in the remainder, and for the part paid by him no *Alcabala* is exacted, nor in general for any money paid by Slaves for the purpose of obtaining their liberty, of becoming *Coartados*, or of diminishing the sum in which they may be already *Coartados*.

It is a disputed point whether a Slave can oblige his master to sell him, if he can find a purchaser who will *Coartar* him; this practice being considered to be liable to abuse, as a Master may thereby be



deprived of the service of a valuable Slave, without the condition of the latter being materially improved. Thus a Slave brought up to some mechanical labour may be seduced from the service of the Master, who has had the trouble of teaching him, upon a purchaser presenting himself who is ready to *Coartar* the Slave in a sum considerably less than his value. The practice is therefore generally discouraged, unless the purchaser be willing to *Coartar* the Slave in a sum considerably less than his value, in two-thirds of it for example, in which case no Judge would take upon himself to refuse the demand for a change of Masters. The meliorating the lot of the Slave, and the advancing him in the way of finally obtaining his liberty being held to be paramount to every other consideration. In all cases where a Slave demands to be sold to a purchaser who offers to improve his condition, either by engaging to emancipate him at the expiration of a reasonable period, or by agreeing to *Coartar* him, or to diminish the sum in which he is *Coartado*, the original Master will have the preference, and will not be obliged to sell him, if he be willing to confer the same benefit upon the Slave that the purchaser proposes.

The *Coartado* Slave enjoys likewise this great advantage that, if he be hired out by his Master, or, as is more common, if he be allowed to hire himself out, he is only bound to pay his Master one Real a day for every hundred dollars in which he is *Coartado*.

Thus if he be *Coartado* in 500 dollars, he pays five Reales a day; if in 450, four and a half, and so on, Sundays and certain holidays being excluded; while the Master of a Slave in *Venta Real* is entitled to all the money the latter can earn.

The maxim of the law is that a *Coartado* Slave is as much a Slave as any other, excepting so far as regards his price, and the quota he is to pay his Master if hired out; and consequently the latter is as much entitled to his personal service as to that of a Slave in *Venta Real*, but this is somewhat modified in practice. If a Slave come by descent to his Master *Coartado*, or if he become *Coartado* in his service, the Master is fully entitled to require that he shall serve him personally, and the Slave has no right whatever to demand to be allowed to work out. But when a *Coartado* Slave is sold, it being generally the custom here for the Slave himself to seek for a new Master, he uniformly stipulates beforehand, whether he is to serve personally, or to work out, paying the usual daily quota; and the Judges will always compel the Master to observe such stipulation, unless indeed the Slave neglects to pay, in which case the only remedy is to exact his personal service.

In virtue of such arrangements, it is not uncommon for a Master having occasion to employ for a short period his *Coartado* Slave, who has stipulated to be allowed to work out, to pay the difference between the daily sum he should receive, and the wages usually earned by such Slave.

But in this case alone is the Slave, of whatever description he may

be, paid for his labour by his Master, excepting indeed when field Slaves are employed upon Sundays and certain Holydays; this is, however, upon quite another principle.

During illness *Coartado* Slaves who work out are exempted from paying any thing to their Master, who, on the contrary, is bound to maintain and assist them in the same manner as his other Slaves.

In one case the sum in which a Slave is *Coartado* can be augmented, viz., when in consequence of any improper conduct on his part, his Master is, by the sentence of a Court of Justice, obliged to pay damages; the amount of which may then be lawfully added to the price of the Slave. But if the latter, as frequently happens, neglects for some time to pay the daily sum due to his Master, this debt cannot be added to his price, because it was the Master's fault that he had not recourse in time to the remedy which was in his power, namely, to compel the Negro to serve him personally. The law which so eminently favours the Slave, does not neglect his offspring. A pregnant Negress may emancipate her infant, even while still in the womb, and for this there is a fixed price, viz., 25 dollars; from the time of its birth till it be baptized, the infant may be emancipated for 50 dollars, and afterwards it may acquire its liberty, or be *Coartado* like other Slaves, its value of course during childhood being very low.

Such is the System existing in the Island of Cuba respecting the manumission and free labour of Slaves; and although in the country parts, where there are few Magistrates, there may be, and undoubtedly are many abuses, yet in The Havannah, and other large Towns, and in the more populous parts, it is efficiently observed. Indeed experience warrants the assertion, and to the honour of the Island be it said, that this is the branch of the Laws which is best and most impartially administered.

No. 85.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. Dec. 28.)  
SIR, *Havannah, October 11, 1824.*

I HAVE the honour to acknowledge the receipt this day of your Despatch, dated the 19th June, in which you have been pleased to transmit to His Majesty's Commissioners here, a Copy of the Papers relative to the Slave Trade, which were presented to Parliament last Session.

I have, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 86.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. Dec. 28.)  
SIR, *Havannah, October 12, 1824.*

SINCE the date of my Despatch of the 21st Ultimo, three *Spanish* Schooners, viz., the *Paulita*, *Anfitriete*, and *Minerva*, Don José Moyano, Don Juan Seton, and Don Pablo Barnet, Masters, have sailed from

this Port to the Coast of Africa; and the *Serafina*, Don José Arteche, has arrived from thence, though she was publicly announced to have come from the British Island of *Antigua*, in ballast. I rather suspect that this Vessel sailed for Africa some months ago under another name.

In conversing with the Captain General lately, I once more alluded to the practice of publicly and officially announcing Vessels well known to have come from the Coast of Africa, as having proceeded from Ports at which they never had touched; thus in a manner affording the sanction of at least one branch of the Government of the Island to their violation of Law and Treaty. His Excellency replied that he had been informed by the Naval Department, that the Vessels considered suspicious generally reported themselves to be from Sisal, a Port in the hands of enemies, and it could not therefore be ascertained whether their Report was true or false. I observed that fortunately this difficulty did not exist in the Case of the *Serafina*, which was stated to have come from *Antigua*. The Captain General said he would order the Case to be investigated.

I have, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 87.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, January 24, 1825.*

I HAVE to acknowledge the receipt of your several Despatches up to the 12th of October last.

I concur generally in the views which you have taken of the Case of the *Maria de la Gloria*.

I have instructed His Majesty's Chargé d'Affaires at Madrid, in accordance with the suggestions contained in your Despatch of the 31st of July upon this subject.

In reference to your Despatch of the 20th of September, it is to be observed, that the Slaves in this case have not come strictly under the provisions of the Treaty; and the mode of distributing them does not therefore afford at present grounds for any Representation on the part of His Majesty's Government. But, as I presume from the manner in which the subject was treated between the Captain General and Mr. Kilbee, that no specific directions have been given for the disposal of Slaves under the immediate protection of the Government, in the event of emancipation under the Treaty, I have instructed His Majesty's Chargé d'Affaires at Madrid, to request an explanation of the intentions of the Spanish Government upon this point.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 88.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Jan. 31.)

SIR,

*Havannah, November 15, 1824.*

I HAVE been informed that the Note I addressed to the Captain General, under date the 12th September, which was enclosed in my Despatch of the 20th of that month, upon the subject of the decision taken in the Case of the *Maria de la Gloria*, was by His Excellency communicated to the Marine Department; and that, at a Meeting of the Court of Admiralty held in consequence, it was resolved that the observations therein contained, being made by the British Commissary Judge in his private capacity, and not as a Member of the Mixed Commission in union with his Colleagues, were not entitled to any consideration whatever, and should consequently remain unanswered. This Resolution was transmitted to the Captain General, who, I hear, gave the Court of Admiralty to understand that the object of my Note, as is very clearly expressed, was merely to apprise those concerned of the Report made to my Government upon the Case, and consequently that it did not require any answer. His Excellency, however, has not addressed to me any communication upon the subject.

When it first transpired that it was the intention of the Court of Admiralty to make a distribution amongst the Planters and Inhabitants, of the Negroes belonging to the *Maria de la Gloria*, numerous applications to obtain them were made by persons of all classes, although no notification of that intention had been published. These applications, however, were speedily withdrawn or abandoned, as soon as the discussion which took place upon the Case was generally known, at least by the more respectable part of the applicants; and, when the moment of distribution arrived, it was found necessary to advertise in the newspapers for those who had applied to present themselves. Similar advertisements have been since repeated, the last being dated so late as the 9th instant, and still, I understand, there are many of the Negroes that have not been distributed. Those who have received any of these Negroes in deposit, have paid fifty-one dollars for each; and I am sorry to say, from what I have been able to collect, that they are not generally, of the most respectable classes; and there is too much reason to fear that there will be foul play. Indeed, I have heard, upon good authority, that more than one of the Depositaries have already sold the Negroes confided to them, trusting that hereafter, if ever called upon, they will be able to make such an excuse as will pass.

These Negroes, in number four hundred and one, arrived here on the 17th June, and from that time to the first distribution, about the middle of October, which is by far the worst season of the year, only four or five died; if, therefore, a considerable number shall be report-



ed to have died in the following healthy months, the consequence to be drawn is evident.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 89.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Jan. 31.)

SIR,

*Havannah, November 15, 1824.*

I HAVE the honour to inform you that two of the Vessels which sailed from hence in the former part of the year for the Coast of Africa, namely, the Schooners *Nicanor* and *Tranquilidad*, have returned, both nominally from Sisal in ballast, but notoriously from Africa with cargoes of Negroes, which they landed previous to their entrance into this Port.

When I waited upon the Captain General for the purpose of drawing his attention to these Cases, I requested that he would be pleased to inform me what had been the result of the investigation, which he had expressed it to be his intention to order into the Case of the Vessel which was announced to have come from *Antigua*; to which His Excellency replied, that upon consideration it had appeared to him advisable that I should address a Note to him upon the subject, as being a matter the investigation of which belonged to a Department not under his immediate control.

I accordingly addressed to His Excellency the Note of which a Copy is enclosed, in which at the same time that I have studiously endeavoured to avoid as much as possible unnecessarily attributing blame to this Government, I have recorded in explicit but moderate terms my opinion of the barefaced and extensive illicit Slave Trade now carried on with this Island.

The *Atrevida*, Spanish Schooner, Don Isidoro Maxual, Master, sailed on the 5th instant for Princes' Island, on the Coast of Africa.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

(Enclosure.)—*H. T. Kilbee, Esq. to the Captain General.*

SIR,

*Havannah, November 14, 1824.*

IN compliance with the wish Your Excellency has been pleased to express, I shall proceed to make in writing those observations which I have upon various occasions submitted to your consideration verbally, respecting the practice which prevails of officially reporting, in the "*Diario del Gobierno*," false places of departure of Vessels well-known to have come from the Coast of Africa; the investigation of which matter, Your Excellency informs me, belongs to a Department of the Government not under your immediate control.

This practice was, I believe, first introduced towards the close of last year, and has latterly become almost universal. Vessels of the de-

scription I allude to, the names of which I have submitted to Your Excellency at the time of their respective arrivals, being announced as having come from Sisal, and sometimes from the Islands of *St. Thomas*, of *Curaçoa*, and even in one instance from the British Island of *Antigua*, at which Port and Islands, particularly at the last, there is little doubt that they never had touched.

In the Reports which I have considered it to be my duty to make to my Government upon the subject of the illicit Slave Trade carried on with this Island, I have always stated the many obstacles which the Authorities have to encounter in their endeavours towards the suppression of that traffic; and I have felt inclined, until the introduction of the above-mentioned practice, to attribute the existence of that evil to the present state of the Law, rather than to other less justifiable causes. Very improbable it certainly was, that Vessels which sailed for the Coast of Africa for the purposes, as they professed, of legitimate commerce, should one after another return in ballast; that others should, notwithstanding, venture to follow their example, and even the very same Vessels sail again for that Coast, and again return, still without one single exception, all in ballast; but, nevertheless, it *was* possible that they might have taken their measures so well, as effectually to elude the vigilance of those whose duty it was to examine them, and, if possible, detect the illegality of their proceedings. The Case, however, appears to me to be at present different. The Vessels that now sail for the Coast of Africa, although no reasonable doubt can exist of the real object of their voyages, and although upon their return it is matter of notoriety and public conversation, that they disembark cargoes of Negroes on the Coasts of this Island, are notwithstanding officially announced as arriving in ballast from places at which, as I have before stated, there is little doubt they had not touched. No less than 41 Vessels have sailed in the course of the present year from this Port alone for Africa, of which number five have already returned under the circumstances here related; and there is too much reason to believe that the Papers of these have not been examined as they ought to have been. Were the Papers and Crews of such Vessels immediately upon their arrival to undergo a rigid examination, I am confident, that not only would an end speedily be put to the practice alluded to, but the illicit Slave Trade carried on here would be materially checked.

I confidently appeal to Your Excellency for the conclusion necessarily to be drawn from the existence of the state of things I have described, the effect of which has been to relieve those engaged in the Slave Trade from all apprehension on the part of their own Government, and to increase that traffic in this Island to a degree credible only to those who witness it.

I have the honour to avail myself, &c.

*His Excellency the Captain General.*

H. T. KILBEE.

No. 90.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Jan. 31.)

SIR,

*Havannah, November 28, 1824.*

SOME days ago I heard a report that the Spanish Privateer Brig, *Romano*, was off the Southern Coast of this Island with a cargo of three hundred and fifty Negroes, and that she had been seen by the *Spanish* Schooner of War *Bellona*, which arrived here on the 19th instant. This Brig, as you will recollect, was formerly reported by me as having sailed from hence under very suspicious circumstances; and your attention has since been called to her in the Case of the *Portuguese* Brig *Maria de la Gloria*, which was captured by her on the Coast of Africa.

Shortly after I heard the above-mentioned report, I waited upon the Captain General, and requested that he would have the goodness to inform me if it was correct. His Excellency replied that it had been reported to him that the *Romano* was on the Southern Coast with a cargo of Negroes, which it was her intention to land. That he had consequently issued orders to all the Authorities on that Coast to be on the alert, and to adopt all the means in their power to prevent the landing of the Negroes, or, in the event of their being landed, to intercept them. He also stated that he had heard, though not officially, that the *Bellona*, during a cruise on the Southern Coast, had seen the *Romano* at anchor near the mouth of the River Guanimar, and had sent her boat to inquire what vessel it was; and that the Captain of the *Romano* had replied, that he did not acknowledge any but the Constitutional Government of *Spain*, that his object was to land a cargo of Negroes, and that if the *Bellona* did not immediately depart, he would take measures to compel her. The *Bellona* was accordingly under the necessity of desisting from proceeding any further, her force being very inferior. The *Romano* mounts 14 guns, and has a Crew of upwards of 150 men; while the *Bellona* has only 10 guns, and her Crew is, I believe, not complete.

The *Romano* has thus virtually acknowledged herself to be a Pirate, which her actions had sufficiently demonstrated before.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 91.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Rec. Jan. 31.)

SIR,

*Havannah, November 28, 1824.*

THE only answer I have as yet received to the Note which I informed you, in my Despatch of the 15th instant, I had addressed to the Captain General, is that of which a Translation is enclosed, in which His Excellency merely states that he had transmitted my said Note to the Intendant, to whose Department it belonged to adopt the proper measures in the Case.

As the Captain General had frequently, and upon one occasion

most explicitly, stated to me that the investigation of the abuses, to which I had called his attention, belonged to the Naval Department, I took an opportunity of recalling this to his recollection. His Excellency admitted that that had been his opinion, but stated that, upon further inquiry, he had lately ascertained that, although it was the duty of the Naval Officer, called the Commandant of "*Matricula*," to keep a Registry of the names of the Sailors who arrive in Spanish Vessels, that Officer has no authority whatever to examine them respecting the place of their departure or the object of their voyage:—And that to the Department of the Intendant it exclusively belongs to investigate all Cases of contraband of whatever description they may be, and consequently those of illicit Slave Trade.

On the 16th instant the *French Brig, Marie*, P. Dauret, Master, arrived here in ballast, and was announced to have come from the *Danish Island of St. Thomas*; but it is currently reported that she had really come direct from the Coast of Africa with a cargo of upwards of four hundred Slaves, which she had landed on some part of the Coast of the Island, previous to her entrance into this Port.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

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(*Enclosure*).—*The Capt. General to H. T. Kilbee, Esq.—(Translation)*  
 Sir, *Havannah, November 17, 1824.*

In consideration of the motives stated by you in your Official Letter of the 14th instant, and as it belongs to the Department of His Excellency the Intendant to adopt the proper measures, I have transmitted to him your aforesaid Letter this day for the corresponding effects.

God preserve you many years.

*H. T. Kilbee, Esq.*

FRANCISCO DIONISIO VIVES.

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No. 92.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
 GENTLEMEN, *Foreign Office, March 17, 1825.*

THE Despatches of Mr. Kilbee up to the 11th of December, 1824, have been duly received.

His Majesty's Government have taken into consideration the purport of Mr. Kilbee's Letter of the 20th of September, 1824.

His Majesty's Chargé d'Affaires at Madrid has been instructed to make representations to the Court of Spain upon the subject of the *maintenance and disposal of Slaves*, the cargo of Vessels captured under the Treaty with that Country for abolishing the Slave Trade.

Directions have been given by the Lords Commissioners of the Admiralty, that the several Tenders which may be detached from a King's Ship in the West-Indian Seas shall each be furnished with the signed Instructions required by the Treaty.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.



No. 93.—*H. T. Kilbee, Esq., to Mr. Secy. Canning.*—(Rec. March 16.)  
 SIR, *Havannah, December 17, 1824.*

ON the 13th instant the Spanish Schooner *Bella Dolores*, Guerrero, Master, arrived here in ballast, reporting herself to have come from Madagascar.

I understand that this Vessel was fitted out at Cadiz for a Voyage to the Coast of Africa, from whence she has brought a Cargo of Slaves, who were landed previous to her entrance into this Port.

The daily arrivals and departures are in general published with great exactness in the Newspapers; but I observe, that the name of the *Bella Dolores* has not been mentioned in any of them.

I have the honour to be, &c.

*The Right Hon. George Canning.*

HENRY T. KILBEE.

No. 94.—*H. T. Kilbee, Esq., to Mr. Secy. Canning.*—(Rec. March 16.)  
 SIR, *Havannah, December 29, 1824.*

I HAVE the satisfaction to inform you that, on the 18th instant, His Majesty's Schooner, *Lion*, Lieutenant *Liardet*, Commander, brought into this Port the Spanish Schooner *Relampago*, which she had detained on the 14th, with 159 Negroes on board.

The Captain and Crew of the Slave Vessel were, on the evening of her arrival, delivered up to the Captain-General, and by his order lodged in prison.

Lieutenant *Liardet*, not being in possession of the Instructions annexed to the Slave Trade Treaty with Spain, stated, in the Affidavit which he made before the Mixed Commission, that his Schooner was acting as Tender to His Majesty's Brig, *Carnation*, and was under the immediate orders of the Commander of the same, Captain *Maclean*, who is duly authorized and empowered to make seizures of Spanish Vessels engaged in the illicit traffic of Slaves. The *Carnation* arrived on the 19th instant, and Captain *Maclean*'s Instructions having been laid before the Mixed Commission, all difficulties upon that subject were removed.

Proceedings were commenced without delay in the Mixed Commission, and on the 23d instant Sentence of condemnation was pronounced.

This Case presented no difficulties whatever. The *Relampago*, of which Don Lucas Padron was the ostensible Owner, and Don Joze Garay, Master, sailed from this Port in May last, regularly despatched for the Coast of Africa, with all the necessary Papers, in which it was particularly specified that her object was to trade in articles of lawful commerce, but by no means to engage in the Slave Trade. She proceeded direct to a point on that Coast, named *Menaroch*, where she remained a considerable time, and at length received on board a cargo of 162 Negroes, and was, on her return, detained by the *Lion*, about 200 miles to the Eastward of this Port.—There was no log-book on board, nor indeed any other Papers but those received when she cleared out. Only three or four Negroes were stated to have died

up to the period of the detention ; but they were generally, in an extremely weak state from want of proper food.

I have the honour to enclose an abstract of the *Evidence*, and a Copy and Translation of the *Sentence* of the Court.

As Lieutenant Liardet expressed some doubts as to the classing of the Negroes at the time of the detention, in consequence of the crowded state of the Vessel, and the illness of many of them, it was thought advisable, in the *Sentence*, merely to state the total number found on board, without entering into further particulars.

Of that number, *viz.* 159, including one infant,—eight died on board, previous to their being handed over to the Spanish Government on the 24th instant, proper Certificates of the same having been presented to the Mixed Commission by Lieutenant Liardet, and one was reported to be missing, who was supposed, from extreme weakness to have fallen overboard. The number landed, therefore, was 150, of which two died in the *Depôt* while the Certificates of Emancipation were making out.

I have the honour to enclose a printed Copy, together with a Translation of the *Certificate* of Emancipation.

As it was mentioned in the *Sentence* that the Certificates of Emancipation should be delivered by a Person deputed by the Mixed Commission for that purpose, I made an offer to my Colleagues, which was accepted, to take upon myself the performance of that duty, in order, if possible, to give greater solemnity to the Act, in this first Case of condemnation by our Court. I accordingly, together with the Secretary, who had the goodness to accompany me, was present at the making out the List of the Negroes, with the description of each, and the filling up the Certificates of Emancipation, a Copy of one of which, taken at random, is enclosed, with the part thus filled up translated. After the description of each Negro had been taken, and a name given to him, a piece of tin, with his number engraved on it, was fixed about his neck ; and it was explained to him that he was a free person ; but that he must, for a certain time, be placed under the care and authority of others, in order that he might learn the language and customs of the Country, and a mode of earning his own livelihood ;—that the length of this time depended, in a great measure, upon his own conduct ;—he was asked whether he had any relatives with him ; and he was directed to observe particularly his Interpreters, that he might recollect them again if necessary ;—and to take special care of his number.

You must be aware that, in the state of body and mind of African Negroes just imported, it was impossible to perform the task I had undertaken in a perfectly satisfactory manner. Every thing however, was done which it appeared to me could conduce to the attainment of the great object I had in view ; that is, to afford means of ascertaining the identity of each Negro hereafter.

It not being considered advisable to deliver to the Negroes themselves their Certificates of Emancipation, they were transmitted to the Captain General in a Letter from the Mixed Commission, of which a translation is enclosed, and which contains some further details upon this subject.

The Captain General early determined to place the Negroes, when emancipated, in the Public Establishments, where they would be more immediately under the observation of the Government, and less liable to the danger of being made away with; but as the number was greater than was required by those Establishments, he found it would be necessary to place some of them with private individuals. For this purpose His Excellency framed certain conditions, which he did me the honour to send to me in a private Letter, with a request that I would examine and make my observations upon them. Being at that time very busily engaged in the details of making out the List and description of the Negroes, I was under the necessity of confining myself to submitting to His Excellency some Notes which I had previously made upon the subject, but which it had been my intention to enlarge and correct.

I have the honour to enclose a Copy of those Notes, together with a printed Copy and a Translation of the Conditions finally adopted by the Captain General.

It is obvious that the great danger to which the emancipated Negroes are exposed, is, that they should be made away with and reduced to Slavery while in their actual state of ignorance. The arrangements adopted by the Captain General and the Mixed Commission include, I think, every precaution that can be taken to guard against this danger. For my own part, I know of no means likely to be more effectual but one, the employment of which humanity forbids, namely, to brand the Negroes with some known mark.

The most perfect unanimity prevailed amongst the Members of the Mixed Commission throughout the whole of the Proceedings in this Case; and it is peculiarly gratifying to me to have to inform you, that, on the part of my Colleagues, as well as on that of the Captain General, I met with, not merely a disposition to obey the letter of the Treaty, but a warm and anxious desire to act up to its true spirit.

I have the honour to be, &c.

*The Right Hon George Canning.*

HENRY T. KILBEE.

*(Enclosure 1.)—Abstract of the Evidence in the Case of the Relampago.*

LIEUTENANT LIARDET declared, in his Affidavit, that he had detained this Schooner on the 14th of December, in lat. 23° 8" north, lon. 79° 17" west, with 158 Negroes on board, (which number was afterwards altered to 159, an infant at the mother's breast having been omitted,) and that he found on board only five Papers, which he produced, and which were regular Ship's Papers, issued at this Port of



Havannah in April, 1824, authorizing the Relampago to proceed to the Coast of Africa for the purpose of trading in articles of lawful Commerce, but by no means of engaging in the Slave Trade.

José de Garay deposed, that he was a native of New Orleans, but from his infancy had resided in Spain;—that he was Captain of the Spanish Schooner Relampago, of which Lucas Padron, an inhabitant of The Havannah, was owner;—that he sailed from this Port early in May last for the Coast of Africa, for the purpose of engaging in lawful commerce;—that having arrived at the point of that Coast called Menaroch, he delivered his Cargo to the King of the District, under a promise of receiving ivory, gold-dust, &c. for the same, which promise was not performed; and after waiting on the Coast for a considerable time, during which he lost his two principal Officers, and fell sick himself, he was under the necessity of receiving Negroes as the only return he could obtain for the goods he had delivered:—that he accordingly embarked 162 Negroes, for the maintenance of whom he obtained a quantity of rice, but that he had no other Cargo:—that the five Documents he delivered to the Captor, at the time of his detention, were all the Papers existing on board;—that he received on board Felipe Lozada, and six other individuals belonging to the Spanish Schooner Biscayna, which was lost on the Coast of Africa, the said Lozada acting as Mate, but without any Salary;—that the number of Negroes on board the Schooner, at the time of the detention, was 158 or 159, three or four having died during the passage.

Felipe de Lozada deposed, that he sailed from this Port of Havannah as Second Mate, in the Spanish Schooner Biscayna, for the purpose of trading in lawful commerce on the Coast of Africa;—that, four days after her arrival on that Coast, the Vessel was lost, this Deponent escaping to the American Settlement there:—that having subsequently learnt that the Relampago was at Menaroch, he proceeded to that point, and obtained from her Captain José de Garay, a passage for himself and six of his companions to this Port;—that the number of Negroes received on board the Relampago was 162, of whom three or four died during the passage.

Manuel del Pino deposed, that he sailed from this Port in the Schooner Relampago as a sailor and helmsman (Timonel). This Deponent confirmed the Statements of the two preceding.

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(*Enclosure 2.*)—*Sentence in the Case of the Relampago.*—(*Translation.*)

*Havannah, December 23, 1824.*

THE merits of this Cause having been taken into consideration, it is declared, that the detention of the Spanish Merchant Schooner, Relampago, Don José de Garay, Master, with a Cargo of 159 African Negroes, has been well and lawfully effected by the British Schooner of War, Lion, Lieut. Francis Liardet, Commander; and that the said Schooner, Relampago, her tackle, apparel, and whatever is contained



therein, are subject and liable to confiscation, with the exception of the aforesaid Negroes, who are declared to be free from all Slavery and Captivity. And it is accordingly hereby directed that, with respect to the condemned Vessel, and whatever belongs to her, a valuation shall be made thereof by the principal Masters of Casa Blanca, or, in their default, by those of the Royal Arsenal of this Department, who shall swear faithfully to perform this duty, in order that the same may be exposed to Public Auction for the term required by Law; and being disposed of to the highest bidder, that the proceeds may be applied to the benefit of the two Governments; the said Vessel being for the present placed in Deposit with Don Jayme Andreu, who shall likewise take the proper oath, receiving the same by formal inventory. And with respect to the Negroes, it is declared that their Certificate of Emancipation shall be given to them, to be delivered by the person who shall be deputed to perform that duty, as soon as they shall be landed, for which purpose an Official Letter, with a certified Copy of this Sentence, shall be addressed to His Excellency the Captain General, requesting that he may be pleased to name a person in whom he has confidence, to receive and take charge of them, until His Excellency shall dispose of them as he may think proper, in conformity to the letter and spirit of the Treaty which relates to this subject. And when His Excellency shall have selected the said person, it shall be notified to the Captor to deliver the Negroes up to him, numbered according to their classes and sexes; all which must be made appear in the Proceedings in the Case.

ANDRES DE JAUREGUI.

HENRY T. KILBEE.

RAFAEL DE QUESADA.

RAFAEL GONZALES, Secretary.

*(Enclosure 3.)—Certificate of Emancipation.—(Translation.)*

*(No. 39.)—Daughter of the preceding Number.*

Andrew de Jauregui, Henry Kilbee, and Colonel Rafael de Quesada Members of the Mixed Commission established in this City of Havannah, for the fulfilment of the Treaty concluded between Their Catholic and Britannic Majesties, relative to the abolition of the Slave Trade; the first as Spanish Commissary Judge, the second as English Commissary Judge, and the third as Spanish Commissioner of Arbitration:

WE certify that in the Proceedings before this Mixed Commission, in the Case of the detention by the Schooner, Lion, of His Britannic Majesty's Navy, commanded by Lieutenant Francis Liardet, of the Spanish Merchant Schooner *Relampago*, with a Cargo of Bozal (African) Negroes; a final Sentence was pronounced, declaring the said detention to have been well and lawfully effected, and consequently the Negroes brought in the detained Vessel to be free. And one of them being known in Africa by the name of [*Yongo*,] according

to his own statement, received by the interpretation of [*John Baptiste de Olla, Slave of Don Thomas Gonzales; and Thomas Villa, Slave of Don Ramon Villa*] persons of his Nation, and Interpreters of his language, who are present at this Act, in order that in all times they may serve as Witnesses of the identity of his person; the description of which is annexed at the foot hereof; to whom the name has now been given of [*Coleta*,] and we deliver to him the present, signed by us, and countersigned by the Secretary, who shall take a note of this Document, in a particular book to be kept for this purpose, in order that it may serve him as a Certificate of Emancipation, he remaining at the disposal of the Chief Authority of this City and Island, in conformity to the aforesaid Treaty.

ANDRES DE JAUREGUI.

HENRY T. KILBEE.

RAFAEL DE QUESADA.

RAFAEL GONZALES, Secretary.

*Age* [11 years]; *Height* [4 feet 2 inches]; *Marks* [a red scar or mark on her forehead, and remarkably small ears]; *Nation* [Ganga Longabá.]

(*Enclosure 4.*)—*The Mixed Commission to the Capt. Genl. (Translation.)*

MOST EXCELLENT SIR,

Havannah, Dec. 28, 1824.

THE Mixed Commission have concluded the act of assigning to the existing Negroes, of those captured in the Schooner *Relampago*, their Certificates of Emancipation, which were not delivered into the hands of the Negroes, from the consideration that, as they could not be sufficiently aware of the importance of those Documents, they might possibly neglect and lose them, for which reason it was thought advisable to withhold, and transmit them all to your Excellency, in order that, if you think proper, you may be pleased to direct, either that they shall remain deposited in the Government Secretary's Office, or that they shall be delivered to those with whom your Excellency may place the Negroes, and who will therefore have to give a receipt, as well for the persons of the latter, as for the Certificates, being responsible for both.

In these Documents, the Commission have endeavoured to take every means calculated to ensure the identity of each Negro emancipated. Besides his name in Africa, the Christian name that has been given to him, as well as his Nation, are inserted, and likewise the names of the interpreters who have been employed; the best description of each that was possible has been taken, all which is noted down in the Certificates themselves, which are numbered from 1 to 149 inclusive, that being the number of those which were made out. And with reference to these same numbers, notes of the said Documents have been taken down in a book ordered to be kept for that purpose, a piece of tin having been tied about the neck of each Negro, with his number engraved on it.

Although the Cargo at the time of the detention consisted of 159 Negroes, as is stated in the Sentence, only 149 Certificates were despatched, eight of the Negroes having died on board, according to the Reports made to the Commission by the Captor, and one at the time of disembarkation having been found missing, who probably, as is stated by the said Captor, had fallen overboard from extreme weakness; and another having died in the Depôt before his Certificate was made out. The Commission also apprise your Excellency, that a Negress included in the 149, and numbered 57, died likewise, after her Certificate had been completed; so that, at the conclusion of the act here referred to, there remained in the Depôt only 148 Negroes.

And finally, the Commission submit to your Excellency, that having endeavoured with particular care to find out whether, amongst these Negroes, there were any connected by family ties, in order that such might not be separated in their future destination, it has been ascertained that the Negresses numbered 38 and 39, and those numbered 69 and 70 are mothers and daughters, the last being only a few months old; that those with the numbers 34 and 35 are aunt and niece, and those with 44 and 45 are sisters; for which reason they are placed in the list in continuation, and their relationship is noted in the margin of the certificate of each of them.

The Commission consider, that with this they have concluded the discharge of their functions in the present Case, acknowledging most readily the speedy and effectual co-operation of your Excellency for the exact fulfilment of the Treaty.

God preserve your Excellency many years.

ANDRÉS DE JAUREGUI. H. T. KILBEE.

*His Excellency the Captain General.* RAFAEL DE QUESADA.

*Enclosure 6.—(Translation,)*

CONDITIONS upon which the Government distribute the emancipated Negroes brought to this Port in the Spanish Brig *Relampago*, captured by His Britannic Majesty's Schooner, *Lion*, conformably to the Seventh Article of the Regulations for the Mixed Commission established in this City in virtue of the Treaty of 1817, for the Abolition of the Traffic in Slaves.

1. That, in conformity with the above-mentioned Article, the Government is guarantee for the liberty of the said Negroes, and they shall be delivered to the Corporations, or private individuals, under the precise Conditions expressed in the following Articles.

2. The Negroes shall be maintained with wholesome and abundant food, and provided with clothes and shoes, according to the custom of the Country in regard to Servants; instructed in the dogmas of our religion, in order that, as soon as possible, they may be baptized; they shall be provided with medical advice, and assisted with the

greatest care and attention in sickness; and the expenses of the burial of such as may die shall be paid:—They shall, moreover, be taught some occupation or mechanical art; in the same manner shall be treated the children of the Negresses, so long as they shall be incapable of working for their own maintenance; and in case of an infant being born of any of the Negresses, immediate advice shall be given to the Government, in order that the same may be duly registered, and that, in the *Certificate of Baptism, its freedom may be expressed.*

3. The first Sunday in the months of June and October, all the emancipated Negroes shall be presented to the Captain General, that he may be assured of their advancement in civilization, and that he may see whether they are satisfied.

4. Whenever it is observed that any of the Negroes has received bad usage, he shall be taken from the person or Corporation to whom he may have been delivered; the said person or Corporation being bound to present him immediately, clothed, and with shoes, in order that he may be intrusted to some one else, who will take care and instruct him in a proper manner.—Neither can the Negroes be withdrawn from the City or its Suburbs without permission of the Government, as the parties must always be ready to present them whenever they are so required.

5. If the person having charge of any of these Negroes should die, the Negroes shall be delivered by the Government to the care of another, under the same conditions; and the Executor or Heir shall report the same to the Captain General within four days; and if he shall not do so, he shall pay one dollar a day for each Negro so long as he shall retain them in his power, besides being subject to the penalties laid down for the non-performance of these conditions.

6. For any slight departure from these conditions, a fine is imposed of from 50 to 100 dollars, half for the Informer, and the other half for a fund to be established for the purpose of maintaining the emancipated Negroes that shall arrive sick at the Dépôt, and also for providing them with some conveniences during the time that they shall remain there. For any essential departure, besides paying the fine, the person in charge of the Negro shall forfeit all right to his services, and the latter shall be taken from him, and delivered to another under these same conditions.

7. To be intrusted with one or more of these Negroes, it is necessary to possess landed property, or bring forward a well-known person, to the satisfaction of the Government, who will be answerable in 500 dollars for each Negro received.

8. In case the person to whom any Negro is delivered should sell or make away with him, reporting him to be dead or run away, such person, independent of the penalties established by the Laws, for



the crime of selling a free person, shall pay a fine of 500 dollars for each, one half for the Informer, and the other half for the Fund.

9. The fines mentioned in these Conditions shall be recovered in the most summary manner, from whatever description of property the delinquent may have, for the payment of which he is formally bound.

10. The Negroes shall be exclusively occupied in the same labours as those taught to free persons, without being chastised with cruelty, or being ill-treated in any manner whatever; they shall be reprehended with mildness, and in case, from their bad disposition, they become incorrigible, information is to be given to the Government, that proper measures may be taken.

11. The persons having charge of these Negroes shall watch over their conduct, and prevent them from committing excesses; such persons being responsible for the same, according to the Laws in force, relative to Parents, and those who maintain others in dependance upon them.

12. To the Commissaries of the Barrios a Copy of these Conditions shall be sent, in order that, in an inspection which they are to make the first days of every month, they may inform me of what they observe respecting the good treatment and advancement of the Negroes, stating whether they are satisfied or not. In the Public Establishments, the person in charge of them, or the Superior, shall give this information according to their conscience.

13. In case of the sickness of any of the Negroes, immediate advice shall be given to the Commissary of the Barrio, in order that he may report to me the manner in which the sick Negro may be taken care of, and the medical person who attends him. If the Negro should die, advice shall instantly be given to the Commissary, in order that he may attend in person, with two men of known respectability, to ascertain that really and truly the deceased Negro is the same as is described in the List, making the inquiries, moreover, which he may judge necessary, of the individuals of the house, the neighbours, or any other persons, until he is convinced of the truth of the fact. This information, or summary report, shall be made out officially; and on the same day it shall be delivered, with the Certificate of the Medical Attendant, to the Captain General, in order that the burial be ordered, which, as has been said, is to be at the expense of the person or Corporation intrusted with the Negro.

14. In the Secretary's Office shall be kept the Muster-roll of the Negroes distributed, at the top of which these Conditions shall be placed; then the names and description of the Negroes, the persons to whom they are delivered; and in separate parcels, one for each person, the Documents as they accumulate, in which are reported the occurrences of sickness, death, ill-treatment, &c. from which notes

shall be taken down in the book, and a general Report made monthly, with the greatest clearness and exactness.

15. In case of any of the Negroes running away, the person in charge of them shall give immediate information to the Commissary, that he may instantly proceed officially to the summary investigation, which he shall conclude and deliver the same day, interrogating the other Negroes and individuals of the house to ascertain the certainty of the fact.

16. The time for which these Negroes are to be delivered is, five years for the full grown, and seven for the children and the females who may have a child incapable of working; but if, at the expiration of this term, they should not be in a condition to gain their livelihood by their own exertions, then the Government may prolong the term for three years more at the utmost. But, in this case, the Negro shall not be returned to the same person, unless it shall appear, by the reports and declarations (if thought necessary) of the individuals who have the immediate care of the Negroes, that their state of ignorance proceeds from their natural dulness and want of comprehension, and not from neglect or carelessness of the person to whom they were delivered.

17. Each of the individuals, to whom Negroes may be allotted in the distribution, shall be informed of the literal tenor of these Articles, and it shall be stated, in the respective notes of each, that he was apprized of their contents, and that he was expressly bound to fulfil them exactly, under the most severe responsibility; and he shall, moreover, receive a signed Copy of the present Conditions, in order that he may not allege ignorance.

18. The expenses of maintenance, at the rate of two rials and a half per day, and other trifling expenses, that have been necessary for the better preservation of the Negroes, are to be paid by the Corporations or Persons to whom they may be delivered.

FRANCISCO DIONISIO VIVES.

*Havannah, December 26, 1824.*

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No. 95.—*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Rec. Mar. 16.)*

SIR,

*Havannah, December 30, 1824.*

THE emancipation of the Slaves brought in the *Spanish Schooner Relampago*, has excited considerable sensation among the inhabitants of this Place; and I understand that several representations have been addressed to the Government, pointing out the injurious consequences which, it is supposed, are likely to result from this measure.

The Captain General, in conversation, informed me, that the Ayuntamiento had proposed to him to suspend the execution of the Sentence of the Mixed Commission, but that he had refused to accede, alleging, that, if the application had related to the Spanish Law alone, he might have felt inclined to attend to it; but that, in the present

case, there was, moreover, a solemn Treaty which the Spanish Government could not itself order to be suspended, without the consent of that of His Britannic Majesty.

I understand that the Ayuntamiento and Consulado have resolved to make representations to His Catholic Majesty, praying that he may be pleased to enter into some arrangement with the British Government for conveying the Negroes, who may be emancipated by the Mixed Commission, out of the Island;—their presence here being considered to be a most injurious example to the Slaves, and otherwise prejudicial to the Island.

I have the honour to be, &c.

*The Right Hon. George Canning.*

HENRY T. KILBEE.

*No. 96.—H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Rec. Mar. 16.)  
(Extract.)* *Havannah, January 1, 1825.*

THE enclosed Document will shew at one view the progress of illicit Slave Trade from the close of 1821,—when orders were received here from Spain to carry strictly into effect the stipulations of our Treaty, the excuses previously alleged being thus rendered unavailing,—up to the present period, when it has reached its actual extraordinary extent, no less than forty-four Vessels having sailed for the Coast of Africa, and seventeen having arrived from thence, during the last year.

The names of the Vessels which have sailed for that Coast, the first after the Abolition, being in the month of August, 1821, are taken from the *Diario del Gobierno*, or Government Journal, in which is published a daily list of arrivals and departures. They are announced as sailing for Africa, or the neighbouring Islands; and, I understand, have inserted on their Papers a strict injunction not to engage in the Slave Trade.

The arrivals are taken from the same source, and they are all announced as being in ballast, and as coming from the Coast of Africa itself, from St. Thomas's, or some other West India Island, and frequently of late from Sisal. At the early dates there was strong suspicion, but at present, I do not hesitate to say, that there is complete notoriety, that these Vessels have landed cargoes of Slaves on the Coasts of this Island previous to their entrance into this Port.

You will observe that amongst the arrivals there are many Vessels which did not clear out from hence. Some *Spanish* Vessels fit out in the Peninsula; and it is universally the practice of *French* Vessels to equip themselves for the traffic in France, where they can do so more economically than here; and after disposing of their Negroes in the Island, they take on board a cargo of Colonial Produce for some of their own Ports.

The List includes such Vessels as have arrived at, and sailed from,

this Port alone ; and if the Trade be carried on in so open a manner before the eyes of the Supreme Government, whose attention is called to every particular Case by His Majesty's Commissioners, it is natural to suppose, as indeed I understand to be the case, that it is carried on with scarcely any dissimulation in other Ports of the Island.

I am not in possession of any means of ascertaining the number of Vessels which have sailed from the other Ports ; but I believe I may safely say that it was at least half that which have sailed from hence. We have, therefore, by this calculation, 66 Vessels which have cleared out from the Island of Cuba, for the purpose of engaging in the Slave Trade during the last year.

The Schooner, *Relampago*, which was condemned by the Mixed Commission, is one of the smallest, even of the Vessels of her own class, employed in the traffic ; and she took on board 162 Slaves ; and if she had found them, would have completed the 200. So that to give to each Vessel two hundred and fifty as the number of Slaves she was intended to carry, is a low calculation. The demand made from this Island, therefore, during the same year, has been for upwards of 16,000 Slaves.

Undoubtedly all these Vessels will not return, but on the other hand many come with Slaves which have cleared out from European Ports ; this being the case with four or five of the seventeen which arrived last year.

The very smallest Vessels cost in fitting out from 20 to 30,000 dollars ; and larger ones, of course, much more. One with another they may be safely valued at 40,000 dollars each ; so that the capital employed in the trade last year was upwards of 2,500,000 dollars.

These speculations are generally undertaken by a number of individuals, who take shares of 1,000 dollars each ; which shares are again not unfrequently sub-divided : you may, therefore, imagine the number of persons *directly* concerned in the traffic.

The evil having become of such magnitude, and the present system having been found utterly ineffectual for its suppression, some alteration would appear to be unavoidable.

To give the Mixed Commission, composed as it now is, fuller powers, and to make it the exclusive Tribunal for hearing all Causes connected with illicit Slave Trade, would, in my opinion, be the most effectual remedy ; but there are so many insurmountable objections to this arrangement, that it would be useless to pursue the subject.

The Spanish *Law*, of which, lest you should wish to refer to it, I have the honour to enclose a printed Copy, is now, the trade being entirely abolished, reduced to a general prohibition to all Spanish subjects to purchase Negroes on the Coast of Africa, under the penalties of the confiscation of Vessel and cargo (the Negroes being declared free), and



ten years hard labour at the public works in the Philippine Islands to the Purchaser, Captain, Supercargo, and Mate. This Law was published when the trade to the South of the Line was permitted; and in the contemplation of such trade, the Fifth Article declares "that the Foreign Vessels which may convey Slaves to any Port of My Dominions, must do so, subject to the Rules laid down in this My Royal Cedula, and in case of contravention, shall be punished with the same penalties herein specified."

This Law, you will perceive, is conceived in very general and very loose terms. The prohibition extends only to purchasing Slaves on the Coast of Africa; so that it might be argued, that to bring them from any other place is permitted. Who the Purchaser is, does not clearly appear; here he is generally held to be the person who actually pays the money for the Slaves in Africa, and not the Shareholders in such adventures, who consequently run no danger but that of losing their money. The Petty Officers and Sailors are not liable to any punishment whatever; and as high wages are given, there is no difficulty ever found in obtaining men for Slave Ships. The Article which applies to Foreign Vessels ought certainly to be adapted to the present circumstances, the trade being totally abolished; and it being very likely that, if many more Spanish Slave Vessels are captured by His Majesty's Cruisers, the traffic will be entirely carried on with this Island by means of *French* Vessels.

That this Law, therefore, should be new-modelled, or rather that another should be framed in its stead, appears to be a measure absolutely necessary. Any opinion of mine respecting the provisions of the new Law would be presumptuous, this being a subject which, as regarding our own Colonies, has been so often under the consideration of His Majesty's Government. But knowing by experience with what facility Laws may be evaded in this Country, I would still venture to urge the expediency of the adoption of a Clause for granting a liberal reward to those who shall denounce illicit traffic.

But above all things, it will be necessary to correct the public opinion of this Country upon the subject of the Slave Trade. It is universally believed that the Abolition was a measure which Great Britain, under the cloak of philanthropy, but really influenced by jealousy of the prosperity of this Island, forced upon Spain. That the latter fulfils her engagements, as far as Great Britain is directly concerned, but that in reality she is indifferent upon the subject. Among the illicit Traders, it is the general persuasion that, if they escape the *British* Cruisers, they have nothing to fear. The trade itself is looked upon as any thing but criminal; it is, on the contrary, considered to be promoting the Interests of the Island, and merely thwarting the selfish views of Great Britain. If the Spanish Government be really desirous of suppressing the Slave Trade, they must convince the Peo-

ple here that such is their desire; and that His Catholic Majesty is really of opinion that the true interests of the Island are intimately connected with the carrying that measure effectually into execution.

The Slave Trade with this Island is now as extensive as ever it was, and is necessarily carried on with greater cruelty. The Abolition by Spain, therefore, is merely nominal; and instead of promoting, only serves to injure the cause of justice and humanity.

*The Right Hon. George Canning.*

HENRY T. KILBEE.

(Enclosure 1.)—List of Arrivals and Departures of Vessels from and for the Coast of Africa.—August 1821 to December 1824.

## ARRIVALS

Date	Nation	Class	Name	Master	Remarks
1822. Jan.	French	Schooner	Louise - - -	Précant - - -	
Feb.	Spanish	do.	Ma. Josefa - - -	J. B. Zabala - - -	Sailed again for Coast of Africa in April
Mar.	Portuguese	do.	Paquete - - -	J. M. Nieves - - -	do. do. July
April	French	do.	Irene - - -	P. du Pavillon - - -	
June	do.	Brig	La Rose - - -	M. Thomas - - -	
July	do.	Schooner	Adolphe - - -	P. Lamarque - - -	
Sept.	do.	Brig	Aim. Henriette - - -	C. Gozan - - -	
Nov.	Spanish	Schooner	Marie - - -	H. Guyot - - -	
Dec.	Portuguese	do.	Am. Socorro - - -	José Inza - - -	Sailed again in Feb. 1823
		do.	Paquete - - -	J. M. Nieves - - -	
1823. Jan.	French	Brig	Coureur - - -	M. Verrier - - -	
June	Spanish	Schooner	A. Socorro - - -	José Inza - - -	Sailed again in October
Aug.	do.	do.	Descamisada - - -	Juan Sandrino - - -	
Oct.	do.	do.	Liberal - - -	Antonio Sanjurjo - - -	
1824. Feb.	French	Brig	Victor - - -	A. P. Guillon - - -	
do.	do.	do.	Agile - - -	M. Gouyt - - -	
April	Spanish	do.	Orestes - - -	D. Zurbano - - -	Sailed again in June
do.	do.	do.	Teresa - - -	J. Sandrino - - -	do. July
do.	do.	Schooner	A. Socorro - - -	G. Castello - - -	do. do.
May	do.	do.	Chatica - - -	José Inza - - -	do. June
do.	do.	Brig	Vengador - - -	J. Zorrilla - - -	do. August
do.	do.	Schooner	Indomable - - -	J. Sangredas - - -	
June	do.	do.	Espanola - - -	P. G. de Luna - - -	Sailed again in August
do.	do.	do.	Especuladora - - -	S. Manzana - - -	
July	do.	do.	Paulita - - -	A. Sanjurjo - - -	Sailed again in October
Aug.	do.	do.	Feliciana - - -	J. Anlet - - -	do. September
Sept.	do.	do.	Serafina - - -	José Arteche - - -	
Nov.	do.	do.	Nicanor - - -	D. Marques - - -	Sailed again in December
do.	do.	do.	Tranquilidad - - -	J. Mandial - - -	
Dec.	French	Brig	Marie - - -	P. Dauret - - -	
	Spanish	Schooner	Bella Dolores - - -	Guerrero - - -	

## DEPARTURES

Date	Nation	Class	Name	Master	Remarks
1821. Aug.	Spanish	Schooner	Correo de Ba. Honda - - -	- - -	Fate not known
Oct.	do.	do.	Maria Josefa - - -	J. B. Zabala - - -	Returned Feb. 5, 1822
do.	do.	do.	Vecua - - -	Vicente Gomez - - -	Condemned at Sierra Leone
do.	do.	do.	Icanam - - -	Antonio Moreira - - -	do. do.
1822. Feb.	Spanish	Schooner	San Rafael - - -	F. Churchurreta - - -	Captured, but liberated at Sierra Leone
April	do.	do.	Amable Socorro - - -	José Inza - - -	Returned in November
do.	do.	do.	Maria Josefa - - -	José Moyano - - -	Condemned at Sierra Leone
July	Portuguese	do.	Paquete - - -	J. M. Nieves - - -	Returned in December
Aug.	Spanish	do.	Rosalía - - -	S. Mazana - - -	Condemned at Sierra Leone
do.	do.	do.	Nieves - - -	J. Manso - - -	Perhaps this is the "Snow," condemned at Surinam
1823. Feb.	Spanish	Schooner	Descamisada - - -	J. Sandrino - - -	Returned in August
do.	do.	do.	A. Socorro - - -	José Inza - - -	do. June
May	do.	do.	Luisa - - -	F. Loureira - - -	
do.	do.	do.	Fabiana - - -	J. M. Maria - - -	Captured and carried to Sierra Leone
do.	do.	do.	Liberal - - -	A. Sanjurjo - - -	Returned in October
Oct.	do.	Brig	Orestes - - -	D. Zurbano - - -	do. April, 1824

## DEPARTURES,—Continued

Date	Nation.	Class	Name	Master	Remarks
Oct.	Spanish	Brig	Teresa	J. Sandrino	Returned in April, 1824
"	do.	Schooner	A. Socorro	A. Pulles	do. do.
Nov.	do.	Brig	Vengador	J. Zorrilla	do. May,
Dec.	do.	Schooner	Chatica	J. Inza	do. do.
1824. Jan.	Spanish	Schooner	Feliciana	J. Anlet	Returned in August
"	do.	do.	Especuladora	S. Manzana	do. June
"	Swedish	Brig	Romprinsen	N. Colwily	
"	Spanish	Schooner	Paulita	A. Sanjurjo	Returned in July
April	do.	do.	Serafina	J. Arteche	do. September
"	do.	Brig	Conquistador	N. Escala	
"	do.	Schooner	Nicanor	D. Acué	Returned in November
"	do.	do.	Ninfa Havanera	F. Loureira	
May	do.	Brig	Victoria	J. de la Puente	
"	do.	Schooner	Relampago	J. de Garny	Condemned at Havana
June	do.	Brig	Orestes	G. F. Vega	
"	do.	Schooner	Clara	J. Puig	
"	do.	do.	Chatica	R. Rival	
July	do.	Brig	Teresa	J. B. Areste	
"	do.	Schooner	Matilde	J. Sagreras	
"	do.	do.	A. Socorro	J. de las Nieves	
"	do.	do.	Nueva Francisca	Ant. Munez	
"	do.	do.	Biscayna	A. de Mesa	Lost on the Coast of Africa
"	do.	do.	Tranquilidad	J. Mandiel	Returned in November
"	do.	Brig	Magico	J. Inza	
"	do.	do.	Escupe fuego	A. Pulles	Captured by Columbians
"	do.	Brig	Morgiana	Justo Lustache	Sailed under American Co-
Augt.	Spanish	do.	Isabel	Pedro Blanco	lours, but really Spanish
"	do.	Schooner	Espanola	P. Garcia de Lima	
"	do.	do.	Pilades	A. Bousquet	
"	do.	Bark	Conchita	F. Suarez	
"	do.	Schooner	Clarita	J. A. Artamoni	Captured by Columbians
"	do.	Brig	Noticioso	F. Jover	do. do.
"	do.	Schooner	Medusa	M. Moran	do. do.
"	do.	Brig	Relampago	S. Manzana	
"	do.	do.	Constante	A. Sanjurjo	
"	do.	Schooner	Chirigota	F. Aspeytia	
"	do.	do.	Iris	D. Zurbano	
"	do.	do.	Dorotea	J. Gardullo	
"	do.	do.	Barbarita	P. Blanco	
Sept.	do.	Ship	Urraca	J. Ferrer y Roig	
"	do.	Schooner	Josefa	J. A. Thomas	
"	do.	do.	Feliciana	J. Anlet	
Oct.	do.	do.	Paulita	J. Moyano	
"	do.	do.	Anfitrite	J. Seeton	
"	do.	do.	Minerva	P. Barnet	
Nov.	do.	do.	Atrevida	J. Maxual	
Dec.	do.	do.	Esperanza	J. Berazaluze	
"	do.	do.	Nicanor	R. Gonzales	

(Enclosure 2.) *Cedula of The King of Spain, relating to the Slave Trade, December, 1817.*

(Translation.)

EL REY.

THE KING.

LA introduccion de Negros Esclavos en América fue una de las primeras providencias que dictaron Mis Augustos Predecesores para el fomento y prosperidad de aquellos vastos Dominios, muy poco tiempo despues de haber sido descubiertos. La imposibilidad en que estaban los Indios de ocuparse en diferentes trabajos útiles, aunque penosos, nacida del nin-

THE Importation of Black Slaves into America was among the earliest measures directed by My August Predecessors for the cultivation and prosperity of those vast Dominions, within a short period after their discovery. The Indians being disqualified from engaging in various useful, though laborious, occupations, by their ignorance of the accommodations

gun conocimiento que tenian de las comodidades de la vida, y de los cortísimos progresos que entre ellos habia hecho la sociedad civil, exigió por entonces que el beneficio de las minas y el rompimiento y cultivo de las tierras se entregaran á brazos mas robustos y activos. Esta providencia, que no creaba la Esclavitud, sino que aprovechaba la que ya existia por la barbarie de los Africanos para salvar de la muerte á sus prisioneros, y aliviar su triste condicion, lejos de ser prejudicial parra los Negros de Africa, trasportados á América, les proporcionaba no solo el incomparable beneficio de ser instruidos en el conocimiento del Dios verdadero, y de la única Religion con que este Supremo Ser quiere ser adorado de Sus criaturas, sino tambien todas las ventajas que trae consigo la civilizacion, sin que por esto se les sujetara en su Esclavitud á una vida mas dura que la que traian siendo libres en su propio Pais. Sin embargo, la novedad de este sistema requeria mucho detenimiento en su egecucion, y asi fue que la introduccion de Negros Esclavos en América dependió siempre de permisos particulares que Mis Augustos Predecesores concedian segun las circunstancias de los lugares y de los tiempos, hasta que la de Negros bozales fue generalmente permitida, asi en buques Nacionales como Extrangeros por Reales Cédulas de veinte y ocho de Setiembre de 1789, doce de Abril de 1798, y veinte y dos de Abril de 1804, en cada una de las cuales se senalaron diferentes

of life, as well as by the small progress of civilization among them, it became necessary to intrust to arms more vigorous and more active the working of the mines, and the breaking up and tillage of the soil. This plan, which did not occasion, but only availed itself of, the Slavery already practised by the barbarous Nations of Africa, with a view to save their prisoners from death, and to alleviate their melancholy condition, so far from being prejudicial to the Negroes of Africa, when transferred to America, afforded them not only the incomparable benefit of being instructed in the knowledge of the true God, and of the only Religion through which that Supreme Being is desirous that His creatures should adore Him, but also all the advantages attending a state of civilization, without, however, subjecting them in their slavery to hardships more intolerable than those they had endured when free in their own Country. But as the novelty of this system required great circumspection in its execution, the introduction of Black Slaves into America depended always on particular permissions granted by My August Predecessors, according to the circumstances of places and times, until it was generally permitted to import Negroes, in National vessels as well as Foreign, by the Royal Cédulas of the twenty-eighth of September, 1789, of the twelfth of April, 1798, and of the twenty-second of April, 1804, in each of which different periods for that Importation were



plazos para dicha introduccion : todo esto manifestaba bien claramente que la Cristiana sabiduría de los Reyes consideraba siempre estas providencias como escepciones de la Ley sujeta à condiciones variables. Aun no habia espirado el concedido en la de veinte y dos de Abril de 1804, cuando la Divina Providencia me restituyó al Trono á que Me habia destinado, y de que intentó pérfidamente despojarme un injusto Usurpador. Las turbulencias y disensiones suscitadas en Mis Dominios de América durante Mi ausencia, fijaron desde luego Mi soberana atencion; y meditando con incesante desvelo las providencias mas adecuadas para restablecer el buen orden en aquellos remotos Países, y darles todo el fomento de que son capaces, no tarde en advertir que habian variado enteramente las circunstancias que movieron à Mis Augustos Predecesores para permitir el tráfico de Negros bozales en las Costas de Africa, y su introduccion en ambas Américas. En ellas ha crecido prodigiosamente el número de Negros indigenas, y aun el de los libres, à beneficio de la regulacion suave del Gobierno, y de la cristiandad y temple humano de los Propietarios Españoles: el de Blancos se ha aumentado mucho, y el clima no es tan prejudicial para estos como lo era antes de que las tierras se desmontasen y pusiesen en cultivo. Aun el bien que resultaba á los habitantes de Africa de ser transportados à Países cultos no es ya tan urgente y esclusivo, desde que

appointed; all which clearly indicated that the Christian wisdom of the Kings uniformly considered these measures as exceptions to a Law which was liable to undergo modifications according to circumstances. The term granted on the twenty-second of April, 1804, was not yet elapsed, when Divine Providence reinstated Me in the Throne to which it had destined Me, and of which an unjust Usurper perfidiously attempted to despoil Me. The commotions and differences which had broken out in My American Dominions during My absence, engaged immediately My attention; and meditating incessantly on the measures which might be most proper for restoring good order to those remote Countries, and affording them all the protection of which they are capable, I quickly discovered that an entire change had taken place in the circumstances which induced My August Predecessors to permit the Traffic in Slaves on the African Coasts, and their importation into both the Americas. In those regions a prodigious increase is perceivable in the number of indigenous Negroes, and even in that of the Blacks of free condition, owing to the mildness of the Government, no less than to the christian and humane conduct pursued by the Spanish Proprietors; the Whites, also, are greatly augmented, from the climate being no longer so dangerous to them as it was prior to the lands being cleared of wood, and put under cultivation. Nor is the benefit which the Inhabitants of Africa derived from being

una Nacion ilustrada ha tomado sobre sí la gloriosa empresa de civilizarlos en su propio suelo: al mismo tiempo la general cultura de Europa, y el espíritu de humanidad que ha dirigido sus ultimas transacciones, al restaurar el edificio que la depravacion del régimen del Usurpador habia destruido hasta sus bases, han escitado un conato general entre los Soberanos de Europa de ver abolido este tráfico; y en el Congreso de Viena, conviniendo en la necesidad de la abolicion, se ocuparon en facilitarlo por medio de las negociaciones mas amistosas con las Potencias que tenian Colonias, encontrando en Mi aquella disposicion que era consiguiente à tan laudable empeño. Estas consideraciones movieron Mi Real Animo à informarme de personas instruidas y zelosas de la prosperidad de Mis Estados sobre los efectos que en ellos produciria la abolicion del tráfico de Negros. Vistos sus informes, deseoso de asegurar el acierto en materia de tanta trascendencia y gravedad, los remití à Mi Consejo de las Indias con Real Orden de catorce de Junio de 1815, para que me consultara lo que se le ofreciese y pareciese. Agregados todos estos copiosos materiales y los antecedentes del asunto, y visto lo que el propio Supremo Tribunal me ha expuesto en su consulta de quince de Febrero de 1816, correspondiendo à la confianza que en él tengo depositada, y conformándome con su parecer sobre la abolicion del tráfico de Negros, y convenido con El Rey del Reino Unido de la Gran Bretaña é Irlanda,

carried to cultivated Countries any more so urgent and exclusive, since an enlightened Nation has undertaken the glorious task of civilizing them in their own native land, while the general intelligence of Europe, and the spirit of humanity which has influenced its late transactions in restoring the edifice which the corrupt policy of the Usurper had destroyed to its very foundation, have roused the Sovereigns of Europe to a general effort for having this Traffic abolished; and at the Congress of Vienna, concurring in the necessity of the abolition, they sought to bring it about by the most amicable negotiations with such Powers as possessed Colonies, and they met in Me a disposition suited to a design so laudable. These considerations impelled My Royal Mind to procure information from persons at once acquainted with the subject, and anxious for the prosperity of My Dominions, as to what effects were likely to be produced in the latter by the abolition of the Slave Trade. Being desirous to ensure success in a matter so momentous and so grave, I transmitted their information to My Council of the Indies, with the Royal Order of the fourteenth of June, 1815, to give me such an opinion as the merits of the case should justify. After collecting all these copious materials, after taking a survey of the former steps adopted on this subject, and after considering what the Supreme Tribunal just mentioned has stated to me in its Exposition of the fifteenth of Fe-

por un Tratado solemne sobre todos los puntos de interes recíproco que versan en esta notable transacion, y hecho cargo de ser llegado el tiempo de la abolicion, conciliados debidamente los intereses de Mis Estados de América con los sentimientos de Mi Real Animo, y los deseos de todos los Soberanos Mis Amigos y Aliados, he venido en resolver lo siguiente :

1. Desde hoy en adelante prohibo para siempre à todos Mis vasallos, asi à los de la Península como à los de América, que vayan à comprar Negros en las Costas de Africa que estan al Norte del Ecuador. Los Negros que fueren comprados en dichas costas serán declarados libres en el primer puerto de Mis Dominios à que llegare la embarcacion en que sean transportados: esta con lo restante de su cargo será confiscada para Mi Real Hacienda, y el Comprador, el Capitan, el Maestre y Piloto irremisiblemente condenados à diez años de presidio en las Islas Filipinas.

2. La pena señalada en el Artículo precedente no comprende al Comprador, Capitan, Maestre y Piloto de las embarcaciones que salgan de cualquiera puerto de Mis Dominios para las Costas de Africa que estan al Norte del Ecuador

bruary, 1816; acting, moreover, on the confidence which I have reposed in that Body, and conforming Myself with its advice relative to the abolition of the Traffic in Slaves; having also agreed with The King of the United Kingdom of Great Britain and Ireland, by means of a Solemn Treaty, on all the points of reciprocal interest involved in this memorable adjustment; and being aware that the moment for the abolition is arrived, in consequence of the Interests of my American States being in accordance with the sentiments of My Royal Mind, as well as with the desires of all the Sovereigns, My Friends and Allies, I have resolved as follows :

1. From this day forward, I prohibit, for ever, to all My subjects, both in the Peninsula and in Africa, to resort to the Coasts of Africa, North of the Equator, for the purchase of Negroes. All the Blacks bought on those Coasts shall be declared free in the first sea-port of My Dominions at which the Vessel containing them shall arrive; that Vessel, together with her remaining cargo, shall be confiscated for My Royal Treasury, and the Purchaser, the Captain, the Master, and the Pilot, shall, without fail, be sentenced to ten years' confinement in some fortress of the Philippine Islands.

The penalty assigned in the preceding Article does not apply to the Purchaser, Captain, Master and Pilot, of such vessels as shall sail from any Port of My Dominions for the Coasts of Africa North of the Equator, previous to the

antes del dia veinte y dos de Noviembre del presente año, á los cuales les consedo ademas el plazo de seis meses contados desde dicha fecha para que concluyan sus expediciones.

3. Desde el dia treinta de Mayo de 1820 prohibo igualmente á todos Mis vasallos, asi á los de la Península como á los de América, que vayan á comprar Negros en las Costas de Africa que estan al sur del Ecuador, bajo las mismas penas impuestas en el Artículo primero de esta Mi Real Cédula; concediendo asimismo el plazo de cinco meses desde dicha fecha para que puedan completar sus viajes los buques que hubiesen sido habilitados antes de la citada fecha de treinta de Mayo de 1820, en que ha de cesar totalmente el tráfico de Negros en todos Mis Dominios, tanto en España como en América.

4. Los que usando del Permiso que consedo hasta treinta de Mayo de 1820, fueren á comprar Negros en las Costas de Africa, que estan al sur del Ecuador, no podrán trasportar mas Esclavos que cinco por cada dos toneladas del porte de su buque; y si alguno contraviniera á esta disposicion, será castigado con la pena de perder todos los que trasportare, los cuales serán declarados libres en el primer puerto de Mis Dominios á que arribe la embarcacion.

5. Por el cómputo de cinco Negros por cada dos toneladas, no se hará cuenta con los que nacieren durante la navegacion, ni con

twenty second of November of the present year, to which persons I grant the further term of six months, to be computed from the above date, for the conclusion of their Expeditions.

3. From the thirtieth of May, 1820, I forbid likewise all My subjects in the Peninsula, as well as in America, to proceed to the Coasts of Africa, South of the Equator, for the purchase of Negroes, under the same penalties as are denounced in the first Article of this My Royal Ordinance, granting also the term of five months from the date before mentioned, for the completion of their voyages, to those vessels that shall have duly obtained permission, prior to the said date of the thirtieth of May 1820, at which the Slave Trade shall cease entirely in all My Dominions in Spain, as well as America.

4. Those who, under the Licence issued by Me, till the thirtieth of May, 1820, shall buy Negroes on the Coasts of Africa, South of the Equator, shall not be allowed to take on board more Slaves than five for every two tons of the burden of their Vessel; and if any one transgress this order, he shall forfeit all the Negroes he may carry, who shall be declared free in the first Port of My Dominions at which the Vessel shall arrive.

5. In the proportion of five Negroes to every two tons, shall not be comprehended those born during the voyage, nor such as



los que fueren sirviendo en el buque en clase de marineros ó de criados.

6. Los buques extranjeros que introduzcan Negros en cualquiera puerto de Mis Dominios deberán hacerlo con sujecion á las Reglas que se prescriben en esta Mi Real Cédula; y en caso de contravencion serán castigados con las mismas penas que se señalan en ella.

Y siendo Mi Real voluntad que todo lo referido se circule á Mis Dominios de América y Asia para su mas puntual observancia, lo comuniqué á mi Supremo Consejo de las Indias por decreto señalado de Mi Real Mano, con fecha de veinte y dos de Setiembre próximo pasado; y publicado en el propio Tribunal en primero del corriente, se accordó su cumplimiento, y que al mismo efecto se expidiese esta Mi Real Cédula: por la cual mando á Mis Vireyes, Presidentes, Audiencias, Comandantes-Generales, Gobernadores é Intendentes de las Indias, sus Islas adyacentes y de Filipinas, guarden, cumplan y egecuten, y hagan guardar, cumplir y egecutar cuanto queda ordenado en esta Mi soberana determinacion, sin ir ni contravenir, ni permitir se vaya ni contravenga á su tenor en manera alguna, haciendolo publicar por bando para el mismo fin, no solo en las Capitales, sino tambien en los demas pueblos cabezas de partido de sus respectivos Distritos, y comunicándolo igualmente cada uno en su territorio á los Tribunales, Justicias, Au-

shall serve on board in the capacity of Sailors or Servants.

6. Foreign Vessels importing Slaves into any Port of my Dominions, shall conform to the Rules laid down in this my Royal Ordinance, and, in case of contravention, they shall incur the penalties specified in the same.

And it being My Royal Determination that all the above should be circulated in My Dominions of America and Asia, for the purpose of its punctual observance, I communicated it to My Supreme Council of the Indies, by means of a Decree, signed with My Royal hand, under date of 22nd of last September; and it having been published in that Tribunal on the 1st instant, the fulfilment of it was decreed, as likewise, that, with a view to the same end, this My Royal Cedula should issue, by which I enjoin My Viceroy, Presidents, Tribunals, Commandants-General, Governors and Intendants of the Indies, of the Islands contiguous to them, and of the Philippines, to watch over, comply with, and execute, and to cause to be watched over, complied with, and executed, all that has been ordered in this My sovereign determination, without contravening, or permitting to be contravened, its tenor, in any-wise, and to have it published as an Ordinance to the same effect, not only in the Capitals, but also in other chief Towns of their respec-

toridades y personas á quienes de cualquier modo incumba su cumplimiento. Y de esta Mi Real Cédula se tomará razon en las Contadurías Generales del expresado mi Consejo.

Fecha en Madrid, á de  
Diciembre de 1817.

V. M. Prohibe para siempre á todos sus vasallos, asi de la Peninsula como de América, la compra de Negros en las Costas de África, y señala término para las expediciones hechas á las del Norte del Ecuador antes del veinte y dos de Noviembre de este ano, y para las que se hagan á las del sur del Ecuador antes del treinta de Mayo de 1820, bajo las penas que se espresan.

tive Districts; and, furthermore, to communicate it, each in his Territory, to the Tribunals, Justices, Authorities, and persons on whom its fulfilment shall in any way be incumbent. And this My Royal Cedula shall be attended to in the Accomptant's Offices General of my said Council.

Done at Madrid, the December, 1817.

Y. M. Prohibits for ever to all your Subjects, as well of the Peninsula as of America, the purchase of Negroes on the Coasts of Africa; indicating as the proper time for Expeditions undertaken to the North of the Equator, to be that previous to the 22d of November of this year, and for those proceeding to the South of the Equator, that previous to the 30th of May, 1820, under the Penalties therein declared.

No. 97.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. March 16.)  
SIR, *Havannah, January 2, 1825.*

I REGRET to have to inform you that another *French Vessel*, the Brig, *Gaspar*, L. Maillard, Master, has arrived here under suspicious circumstances; and there is too much reason to fear that she landed her Cargo of Negroes upon the Coast, previous to entering this Port.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 98.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. March 16.)  
(Extract.) *Havannah, January 14, 1825.*

On the 29th Ult. His Majesty's Brig, *Carnation*, in company with two Schooners, chased a suspicious Vessel, which escaped into the Port of Cabanas. On the following morning an Officer was sent in to examine her, and upon applying to the Commandant of the Fort for an Officer to accompany him in the search, was referred to the Commander of the *Spanish Brigantine of War*, *Bellona*, then in the Port. The application was resisted by the latter, who stated that he had himself examined the Vessel, and that she was from Sisal in ballast. The British Officer persisting in his intention to execute his orders,

he was at length accompanied by a Spanish Officer; and the Vessel proved to be the *Magico*, and had all the usual appearance of having just landed a Cargo of Slaves.

Upon the arrival of the *Carnation* here, Captain Maclean addressed a Letter to me, detailing these circumstances, and stating that there was strong presumptive proof that the Commander of the *Bellona* had aided in this violation of the Slave Trade Treaty.

I lost no time in transmitting Captain Maclean's Letter to the Captain General, stating at the same time that the *Magico* was one of the Vessels which had sailed from hence last year for the Coast of Africa, and that it was matter of notoriety that she had landed a Cargo of Negroes in the Port of Cabanas. I likewise apprized His Excellency of the actual arrival here of that Vessel.

The Captain General in reply informed me that he had submitted my Letter and its Enclosure to the Spanish Admiral; adding, that as the Ninth and Tenth Articles of the Treaty direct that no Vessel shall be detained, unless there be Slaves actually on board, he did not think my suspicions sufficient to warrant him in detaining the *Magico*; inviting me, however, to apprise him, if he were mistaken. I answered by communicating to His Excellency the Explanatory and Additional Articles signed at Madrid in December, 1822; and I stated my reasons for the decided opinion which I gave, that the Case of the *Magico* was within the reach of the Spanish Law, and that it was most necessary that vigorous measures should, upon the present occasion, be adopted by the Government.

To this the Captain General merely observed that he would take the necessary steps in conformity with the Treaty; but that as the Articles, to which I had alluded, had not been communicated officially by the Spanish Government, they could not be carried into effect by him. As this subject was mentioned, I considered it to be incumbent upon me to state explicitly my opinion, with the motives upon which it was founded, that the Articles in question, particularly the Explanatory one, were binding upon the Government of this Island. In his reply, the Captain General repeated the impossibility of his executing the Articles, without their being officially received from his Government; he expressed disapprobation at the Spanish Commissioners having consented to consider them as binding upon the Mixed Commission, and, after some further observations, communicated to me a Letter from the Spanish Admiral, directing my attention to that part in which the latter states, that as yet the only charge proved against the Commander of the *Bellona* is, his having having had the weakness to consent to a Foreign Officer searching a Spanish Vessel in a Spanish Port, an abuse arising from the conduct (which is specified) tolerated, on the part of Foreign Vessels of War in the Out-ports of this Island. In my answer, I touched upon the minor points of His Excellency's

Letter, and stated that I would not fail to point out to His Majesty's Government the part to which he had directed my attention, of the Admiral's Communication; upon which subject, had it not been entirely out of my province, many observations might have been made, the conduct of His Majesty's Naval Officers being a necessary consequence of the Piracies committed on the Coasts of this Island; but I dwelt more largely upon His Excellency's disapprobation of the consent given by my Spanish Colleagues to act upon the Explanatory and Additional Articles, alleging that such disapprobation, coming from a person in his high station, could not be a matter of indifference, and would probably induce His Catholic Majesty's Commissioners to withdraw the consent which they had previously given. I pointed out as forcibly as I could, the serious inconveniences which might follow; and entreated His Excellency to withhold the expression of his disapprobation; requesting him, however, to apprise me, for the information of His Majesty's Government, should his opinion remain unaltered, and should the consequence I apprehended with respect to my Colleagues be likely to occur. His Excellency replied, that in giving his opinion it had not been his intention to annul the arrangement made between the Commissioners of the two Nations; and that in the event of the Case occurring which was provided for by the Articles, the Mixed Commission might act with perfect liberty.

I expressed my thanks to His Excellency for this satisfactory Communication, and thus closed the Correspondence; from which it appears that the Admiral has ordered an investigation upon the conduct of the Commander of the *Bellona*, and that the Captain General has directed the necessary steps to be taken with respect to the *Magico*, in conformity with the Treaty, from which, however, he excludes the Explanatory and Additional Articles signed at Madrid on the 10th of December, 1822.

I have the honour to enclose Copies or Translations of the whole Correspondence.

From the manner in which the representation, respecting the *Magico*, has been received, both by the Captain General and the Admiral, little good can be expected to result from the measures which are stated to have been adopted.

But although legal proof of guilt may not be obtained here, enough is known to enable the Spanish Government, if they really wish to discourage illicit Slave Trade, to pronounce their opinion of the Transaction. A Vessel notoriously and undeniably lands a Cargo of Negroes near a King's Fort, and close to a King's Vessel, in an Out-port where she had no right to enter, and where consequently she ought to have been strictly examined; she is asserted by a Spanish Naval Officer to have been actually examined, and that she is a Merchantman in ballast from Sisal; and she is afterwards found to have



all the appearances peculiar to her real situation, that is, of having just landed a Cargo of Negroes. This statement requires no comment.

In judging of my conduct in this transaction, I request that you will be pleased to recollect that I was called upon for my opinion. During the whole of the Correspondence, it has been my constant endeavour to state the facts and arguments upon them in strong but respectful terms, always bearing in mind, as far as they were applicable to the situation in which I was placed, the Instructions under which I act, and the Injunctions which you have found it necessary to give to some of my fellow Commissioners under the Slave Trade Treaties.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 99.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. March 16.)  
(Extract.) *Havannah, January 15, 1825.*

I LATELY received from the Captain General the Letter, of which a Translation is enclosed, upon the subject of the Note I addressed to him on the 14th November last, already forwarded to you. In this Letter His Excellency states that, according to the Report made by the Head of the Revenue Department, it was necessary that I should specify the Names, with various other particulars, of the Vessels which I had referred to in my above-mentioned Note, as having sailed for the Coast of Africa.

In my Reply, a Copy of which I have the honour to enclose, I repeated to the Captain General, that all I knew respecting those Vessels was drawn from the newspaper called the *Diario del Gobierno*: I expressed regret that it should have been judged necessary to require information upon the subject, from one so peculiarly ill-calculated to afford it as myself. I, however, sent a list of the Vessels; and concluded by observing that, as those which sailed for the Coast of Africa were always enjoined not to engage in the Slave Trade, it was natural to suppose that exact and immediate information could be obtained respecting them, at the Public Office where such injunction was given, and, of course, noted down.

*The Right Hon. George Canning.*

H. T. KILBEE.

(Enclosure 1.)—*The Capt. Genl. to H. T. Kilbee, Esq.*—(Translation.)  
SIR, *Havannah, January 11, 1825.*

In consequence of your Letter of the 14th of November last, which I transmitted to His Excellency the Intendant, in order that he might be pleased to direct the Administrator General of the Royal Revenue, to take the necessary steps for the purpose you point out, of which I informed you in my former Letter, of the 17th of the same month, I now state to you, that, for the better and more complete determination of this interesting point, according to what has been reported by the Administrator General, it is necessary that you should mention

the names of the Vessels to which you alluded, those of the Captains and Owners, if it be possible, and the day and month of their departure, specifying, also, those of their entry upon their return, with which explanations he will examine his Books and Notes, and will be enabled to state legally what may result from them.

God preserve you many years.

FRANCISCO DIONISIO VIVES.

*The British Commissary Judge.*

(Enclosure 2.)—*H. T. Kilbee, Esq. to the Captain General.*

SIR,

*Havannah, January 13, 1825.*

YOUR Excellency having been pleased to inform me, in your Official Letter of the 11th Instant, that it is necessary, for the purpose therein mentioned, that I should state the names of the Vessels, with various other particulars respecting them, to which I alluded in my Letter of the 14th of November; I beg leave to observe, as I before apprized your Excellency, that my information upon the subject is drawn from the *Diario del Gobierno*; and I regret that, as I am altogether unconnected with commercial affairs, the Administrator General of the Royal Revenue should have judged it necessary to require information respecting the particulars above referred to, from a person so peculiarly ill-calculated to afford it as myself.

Your Excellency, however, having expressed a desire for it, I have extracted from the *Diarios*, the enclosed list [*Enclosure in No. 96*], in which, annexed to the name of each Vessel will be found the date of the *Diario* in which its departure and arrival, when that has taken place, are inserted.

For the only further particulars in my power to give, I refer the Administrator General to the *Diarios* themselves.

Vessels which sail for the Coast of Africa or neighbouring Islands, the nature of their voyage being a matter of suspicion, are, I understand, enjoined strictly not to engage in the Slave Trade; it is natural to suppose, therefore, that in the Public Office in which such injunction is given, and, consequently, without doubt, noted down, exact and immediate information upon the subject may be obtained.

I avail myself, &c.

*His Excellency the Captain General.*

H. T. KILBEE.

No. 100.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. March 16.)  
(Extract.) *Havannah, January 20, 1825.*

ON the 17th and 19th Instant, the Spanish Brig *Conquistador*, and the Spanish Schooner *Clara*, entered this Port in ballast, and were announced to be, the first from Prince's Island, and the other from Sisal. The names of these Vessels will be found in the list enclosed in my Despatch of the 1st of January, as having sailed for the Coast

of Africa last year. They are said to have landed their Cargoes of Negroes in the Port of Cabañas (into which the *Magico* escaped) or its neighbourhood.

In the present year we have thus already had four arrivals from the Coast of Africa; viz. the *French Brig, Gaspar*; the *Magico*, and the two mentioned in this Despatch. Report says, that the first landed 300 and odd Negroes—the second, 350—the *Conquistador*, 514—and the *Clara*, 220—in all, nearly 1400. Allowing, therefore, for the mortality during the passage, which is generally very considerable, you will perceive that the calculation, as to the extent of the traffic, made in my Despatch above alluded to, is far below the truth.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 101.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. March 20.)  
SIR, *Havannah, February 8, 1825.*

ON the 2d Instant, the *Spanish Schooner, Chatica*, which sailed last year for the Coast of Africa, arrived here (as usual) in ballast, and was stated to be from the *Danish Island of St. Thomas*. She is said to have landed her Negroes near Bahia-honda.

The *Magico* has been allowed to sail from hence for Baltimore; from which circumstance it is to be presumed that no proof has been obtained of her having been engaged in the Slave trade.

This morning the *Spanish Brig San Joze* sailed for Princes' Island, on the Coast of Africa. She is a large Vessel, well armed and manned.

A great alarm was excited amongst illicit Slave Traders, by the capture of the *Relampago*; and it was much increased by the presence of several of His Majesty's Vessels of War in this Port. The equipment of some Vessels which were preparing for the Traffic, was consequently suspended, and the Share-holders manifested a strong repugnance to advance their money. This alarm, I am sorry to say, has quite subsided, various Slave Vessels having arrived since that capture, without being met by our Cruizers. Four or five other Vessels, are, I have heard, at this moment fitting out for the Traffic.

The release of a *French Slave Vessel*, which was captured and carried into Jamaica, has given great satisfaction here; as by that decision it is ascertained, that, although it should be found necessary to desist from the Slave Trade under the *Spanish Flag*, it may be carried on with impunity under that of *France*.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 102.—*H. T. Kilbee, Esq. to Mr. Secy. Canning.*—(Rec. March 20.)  
SIR, *Havannah, February 14, 1825.*

SINCE I had the honour of addressing you on the 8th Instant,

another of the Vessels which sailed last year for the Coast of Africa, viz., the Bark *Conchita*, has arrived here, having previously landed, according to common report, 189 Slaves in the neighbourhood of Bahia-honda. The French Brig *Gustave*, Heraud Ainé, Master, likewise entered this Port yesterday, and, it is said, had a few days before landed upwards of 400 Slaves in the same neighbourhood. She was announced as coming from *Savannah* in ballast.

A Netherlands Schooner, called the *Aimable Claudine*, which sailed from hence professedly for New Orleans, towards the close of last month, is, I have strong reason for believing, really destined for the Coast of Africa.

The *Iris* and the *Joaquina*, two Spanish Schooners, have cleared out at the Custom-house for Princes' Island, but they have not yet sailed.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. T. KILBEE.

No. 103.—*Mr. Secretary Canning to H. T. Kilbee, Esq.*

SIR,

*Foreign Office, March 30, 1825.*

I HAVE received your Despatches up to the 14th ultimo, and I am glad to express to you my sense of the vigilance and industry with which you have watched over every attempt at an infraction of the Slave Trade Treaty with *Spain*, and of the judgment and moderation which have marked the communications which you have made upon the subject.

I am, &c.

*H. T. Kilbee, Esq.*

GEORGE CANNING.

## RIO DE JANEIRO.

No. 104.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. June 17.)  
(Extract.)

*Rio de Janeiro, April 12, 1824.*

WE have the honour to inform you that, on the 10th instant, the first meeting of the Mixed Commission was held, since the departure of Senhor Joze Silvestre Rebello; Senhor Joao Perreira de Souza, the Commissioner of Arbitration, acting as the Brazilian Commissary Judge.

After the transaction of other business, we suggested, in obedience to your Instructions, contained in your Letter of the 17th of November, 1823, the insertion in the Sentence of Condemnation under the Commission, of a Clause, stating, so far as can be ascertained from the Evidence, whether any, and what number of Slaves were seized, and found on board, at the time of detention and capture. To this the



Brazilian acting Commissary Judge readily assented, as no judicial inconvenience could arise therefrom.

We also mentioned the opinion of our Government with respect to the examination of Witnesses in open Court, to which it appeared there would be little or no objection, as this mode of taking Evidence is sanctioned in the lately-adopted Constitution. After the Easter Holidays the Commission will meet again.

H. CHAMBERLAIN.

*The Right Hon. George Canning.*

ALEX. CUNNINGHAM.

No. 105.—*A. Cunningham, Esq. to Mr. Secy. Canning.*—(Rec. June 17.)  
SIR, *Rio de Janeiro, April 16, 1824.*

IN the absence of Mr. Hayne, His Majesty's Commissary Judge, upon leave of absence, I have the honour to acknowledge the receipt of your Circular to the various Mixed Commissions established in Foreign Countries, for the Suppression of the Traffic in Slaves, dated 31st January, 1824, wherein Mr. Hayne and myself are reminded, by His Majesty's command, that, in the computation of the period of service after which a *Pension* may eventually be granted to us, that period only can reckon, during which we are upon service at our post; and, it is further stated to us, that, counting from the 5th of last January, one-half only of the *Salary* attached to our present Situation can be granted to us, during the period at which we are absent from our posts; and we are therefore directed to be precise in stating the periods of our departure from our post, and of our return thereto, that the Salary to be received by us may be computed accordingly.

In reply, I beg leave to state, on the part of my absent Colleague and myself, that we bow with submission to His Majesty's commands, and will not fail to be precise in stating the periods of our departure from, and of our return to, our post, in the event of our having, at any time, obtained His Majesty's most gracious leave of absence from it.

I have the honour to be, &c.

*The Right Hon. George Canning.*

ALEX. CUNNINGHAM.

No. 106.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, June 19, 1824.*

I HEREWITH transmit to you, for your information, six Copies of Papers, marked A. and B., relative to the Slave Trade, which have been presented to both Houses of Parliament, by His Majesty's command, in the course of the present Session.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 107.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Aug. 20.)  
SIR, Rio de Janeiro, June 16, 1824.

WE have the honour to acknowledge the receipt of your Despatch, dated 10th of February, 1824, enclosing ten Copies of Articles, signed at Lisbon on the 15th of March, 1823, Additional to the Convention for preventing illegal Traffic in Slaves, which was concluded at London on the 28th of July, 1817, between The King and His Most Faithful Majesty.

We will not fail, Sir, to consider these Articles as binding upon ourselves for the guidance of our conduct, in giving effect to His Majesty's intentions in regard to the stipulations therein recorded, and we will embrace the first opportunity of communicating them to our Colleagues in the Board of the Commission of which we are Members, and invite them to act in conformity with the tenour thereof.

We have the honour to be, &c.

H. CHAMBERLAIN.

*The Right Hon. George Canning.*

ALEX. CUNNINGHAM.

No. 108.—*His Majesty's Commrs to Mr. Secy Canning.*—(Rec. Sept. 20.)  
(Extract.) Rio de Janeiro, July 6, 1824.

WE have the honour to inform you that, since our last Report of January 22d, 1824, no Vessel has been brought into this harbour for adjudication, by any of His Majesty's Ships of War, under suspicion of having been engaged in the illicit Traffic for Slaves.

H. CHAMBERLAIN.

*The Right Hon. George Canning.*

ALEX. CUNNINGHAM.

No. 109.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Sept. 20.)  
(Extract.) Rio de Janeiro, July 12, 1824.

IN addition to our Despatch of June 16th, 1824, we have the honour to transmit herewith a Copy of the Minute of the Session of the Mixed Commission held on the 21st of June, accompanied by a Translation thereof, from which you will see, Sir, that we have delivered to our Colleagues a Copy of the Additional Articles to the Convention of London, of the 28th of July, 1817, signed at Lisbon, 15th of March, 1823, and at the same time invited them to act in conformity therewith.

We beg leave to point out more particularly to your attention the first paragraph of the enclosed Document, as shewing the precise answer we felt ourselves called upon to give, upon a subject in which we consider it improper for us at all to interfere, and indeed as one wholly foreign to the duties of the Mixed Commission; which answer, we trust, will meet your approbation.

H. CHAMBERLAIN.

*The Right Hon. George Canning.*

ALEX. CUNNINGHAM.

(Enclosure.)—*Minute of the Sitting of June 21, 1824.*—(Translation.)

THERE being laid before the Board, a Portaria, from the Secretary of State's Office for Foreign Affairs, dated 3d of this month, ordering that in all Reports which the Mixed Commission might make, it should declare, whether the Candidates to whom they relate, have, or not, sworn to the Constitution of the Empire; the British Commissioners answered, that they thought this was not a question which came within their Powers as British Commissary Judges.

The British Commissary Judges represented, that having received orders from their Government, by the last packet, to present to the Court a Copy of Articles, Additional to the Convention made at London on the 28th of July, 1817, between His Britannic Majesty, and His Most Faithful Majesty, against the unlawful Traffic in Slaves, signed at Lisbon on the 15th of March, 1823, they communicated those Articles to their Colleagues of the Mixed Commission, and invited them to act in conformity therewith. The Brazilian Commissary Judge, ad interim, answered that he would transmit to his Government the communications which the British Commissary Judges had just made, together with the said printed Articles.

BRAZ MARTINS DE COSTA PASSOS, Sec.

No. 110.—*His Majesty's Commrs. to J. Planta, Jun. Esq.*—(Rec. Sept. 20.)

SIR,

*Rio de Janeiro, July 6, 1824.*

WE have had the honour to receive your Despatch of the 12th May, 1824, enclosing, for our information, a Copy of the Act of the 1st and 2d of George IV., cap. 99, relating to the proceeds of Vessels, and cargoes of Vessels, taken and condemned in the prosecution of the Slave Trade.

We have the honour to be, &c.

H. CHAMBERLAIN.

*Joseph Planta, Jun. Esq.*

ALEXANDER CUNNINGHAM.

No. 111.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Nov. 11.)

SIR,

*Rio de Janeiro, August 30, 1824.*

WE have the honour to acquaint you, that on the 10th of April last, Senhor Manuel Joze Friere de Carvalho petitioned the Mixed Commission to take cognizance of a Reclamation and Protest respecting the condemnation of his Sumaca, the *Esperanza Felix*, in 1822, at Sierra Leone.

The Petition not being accompanied by the necessary Documents, the Court refused to take the Case into consideration.

On the 19th of the present month another Petition was presented to the Court by Senhor Francisco Ignacio de Sequeira Nobre, also of the City of Bahia, owner of the Brig *Commerciant*e, appealing from the Sentence of condemnation pronounced against her in the year 1822,

at Sierra Leone; which the Court refused to entertain, because contrary to that part of the 14th Article of the Regulations, which declares that there is to be no appeal against a Sentence pronounced by the Commissioners of both Countries; and in this Case the Sentence was given by the British and Portuguese Commissioners.

We beg leave to enclose you Copies and Translations of the Protocols of the two Sittings herein mentioned.

We have the honour to be, &c.

H. CHAMBERLAIN.

*The Right Hon. George Canning.* ALEXANDER CUNNINGHAM.

(Enclosure 1.)—*Minutes of the Sittings of the 10th and 27th April, 1824.*  
(Translation.)

AT the Session of the 10th of April, 1824, Senhor Manuel Jozé Freire de Carvalho petitioned that the Mixed Commission should take cognizance of a Reclamation and Protest made by him at Bahia, upon his Sumaca, Esperanza Felix, condemned as a good prize at Sierra Leone. The Commission put off the decision to examine the Papers, and in the Session of the 27th of the same month of April, pronounced the following Despatch. "The Commission does not take cognizance of the present Case, because the Party has not presented the requisite Documents."

BRAZ MARTINS COSTA PASSOS, Sec.

(Enclosure 2.)—*Minutes of the Sittings of the 19th and 26th August.*  
(Translation.)

IN the Session of the 19th of August, 1824, Francisco Ignacio de Sequeira Nobre, merchant of the city of Bahia, and owner of the Brig, Comerciante, employed in the Slave Trade, and condemned as a good prize at Sierra Leone, by Sentence pronounced in the year 1822, petitioned by an appeal against the said Sentence. The Mixed Commission put off the decision, in order to examine the Papers, and in the Session of the 26th of the same month gave the following Judgment:—

"The Commission cannot take cognizance of the present Case, it not being within the Convention of 28th July, 1817, according to the 14th Article of the Regulations for the Mixed Commission. Let the Documents be delivered to the Parties, they giving a receipt."

"SOUZA."

HENRY CHAMBERLAIN.

ALEXANDER CUNNINGHAM.

No. 112.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(Rec. Nov. 11.)  
SIR, Rio de Janeiro, September 18, 1824.

WE have the honour to acknowledge the receipt of your Despatch, dated 19th of June last, accompanying for our information six Copies of Papers marked A. and B. relative to the Slave Trade, which were



presented to both Houses of Parliament, by His Majesty's Command, in the course of the last Session.

We have the honour to be, &c.

HENRY HAYNE,

*The Right Hon. George Canning.* ALEXANDER CUNNINGHAM.

No. 113.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, November 20, 1824.*

I SEND to you for your information and guidance, a Copy of the Act passed in the last Session of the Parliament of the United Kingdom, (Cap. 113,) for amending and consolidating the Laws of this Country relating to the Abolition of the Slave Trade; and for your further information and guidance in respect to the 75th clause of that Act, I send to you the Copies of a Correspondence which has passed between this Office and His Majesty's Treasury [*Enclosures in No. 9*], upon the subject of the enactment therein contained, for the transmission of certain Lists and Returns to His Majesty's Treasury.

I am, &c.

*His Majesty's Commissioners.* GEORGE CANNING.

No. 114.—*His Majesty's Commrs. to Mr. Secy. Canning.*—(*Rec. Dec. 25.*)  
SIR, *Rio de Janeiro, October 25, 1824.*

WE have the honour to inform you that no Slave Vessel has been brought into this Port by any of His Majesty's Cruisers, for adjudication by the Mixed Commission here established, since our last Quarterly Report, dated the 6th July last.

We have the honour to be, &c.

HENRY HAYNE.

*The Right Hon. George Canning.* ALEXANDER CUNNINGHAM.

## SURINAM.

No. 115.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, May 28, 1824.*

I HAVE to acquaint you for your information, and that of the other Members of the Board forming your Commission, that His Majesty's Ship, *Thetis*, of forty-six guns, commanded by Captain Sir John Phillimore, has been furnished with the Instructions annexed to the Treaty of the 4th of May, 1818, between His Majesty and the King of *The Netherlands*, for the prevention of the Traffic in Slaves.

I am, &c.

*His Majesty's Commissioners.* GEORGE CANNING.

No. 116.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, May 30, 1824.*

I HAVE to acquaint you for your information, and that of the other Members of your Commission, that the Instructions annexed to the Treaty between His Majesty and the King of *The Netherlands*, for the prevention of the Slave Trade, have been issued to the following Ships and Vessels of His Majesty's Navy, viz.:

Ships' Names.	Guns.	Commanders.
<i>Gloucester</i> - - -	74 - -	G. F. Rich.
<i>Owen Glendower</i> -	42 - -	Sir R. Mends.
<i>Ariadne</i> - - - -	26 - -	C. R. Moorsom.
<i>Victor</i> - - - -	18 - -	T. Prickett.
<i>Swinger G. V.</i> - -	12 - -	Lt. J. Scott.

and that the Instructions which had been issued to the Vessels *Iphigenia*, *Sybille*, *Tamar*, *Tees*, *Tyne*, *Thistle*, and *Snapper*, have been recalled and cancelled.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 117.—*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 19, 1824.*

I HEREWITH transmit to you, for your information, six Copies of Papers marked A. and B. relative to the Slave Trade, which have been presented to both Houses of Parliament, by His Majesty's Command, in the course of the present Session.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 118.—*J. H. Lance, Esq. to Mr. Secy. Canning.—(Rec. June 24.)*

SIR,

*Surinam, March 29, 1824.*

I HAVE the honour to acknowledge the receipt of your three Despatches, dated respectively, the 30th of October, the 17th of November, and the 26th of December, of last year, which arrived here on the 26th, 27th, and 28th Instant.

In obedience to your Instructions, I immediately acquainted Mr. Lammens, the Dutch Commissary Judge, with the substance of the Despatch of November 17, and suggested to him the propriety of the insertion, in the Sentences of Condemnation under the Commission, of a Clause stating, so far as can be ascertained from the evidence given, whether any, and what number of *Slaves* were seized and found on board, at the time of detention and capture.

I am happy to say, Mr. Lammens immediately agreed to the insertion of such a Clause, in all the future Sentences of Condemnation under the Commission.

With regard to the *Certificates of Emancipation* granted by the

Commissioners, when the Vessel itself is liberated; and also the examination of Witnesses in open Court, I shall not fail to press upon my Colleagues, the adoption of those Principles which you lay down upon those points, whenever circumstances shall arise which shall call for their application.

I have the honour to be, &c.

*The Right Hon. George Canning.*

J. H. LANCE.

No. 119.—*J. H. Lance, Esq. to Mr. Secy. Canning.*—(Rec. June 24.)  
SIR, *Surinam, March 30, 1824.*

I HAVE the honour to enclose for your perusal a Copy of a Paper which has lately been sent to every Plantation and to every Owner of Slaves in this Colony, and which is to be continued Annually.

The object of the Government is to ascertain the Name, Age, Occupation, and Religion of every Slave in the Colony, which are to be set down by, and delivered in upon the oath of, the Director or Owner, as the case may be, in the order in which they are arranged in the Enclosure; and if a false Return is afterwards discovered to have been made, the Slaves omitted are instantly forfeited to the Government, and the Person making such false Return will be criminally proceeded against before the Fiscal.

If this measure be properly enforced, I humbly conceive that it will more effectually put a stop to future illicit importations of Negroes than any thing hitherto done for that purpose, and it will in many respects be equal to the Acts of Registration passed in the British Colonies.

I have the honour to be, &c.

*The Right Hon. George Canning.*

J. H. LANCE.

(Enclosure.)—*Form of Return of Slaves.*—(Translation.)

Return of Slaves kept on the Estates. 182 .	I, the undersigned of the Estate, denominated the property of declare, that the Slaves maintained on this Planta- tion, consist of the following persons, viz. :
---	--

NAMES.	Slaves.				Age.	Trade.	Religion.	REMARKS.
	Men.	Women.	Boys.	Girls.				
Total.								

The above is a true Return, made on oath, pursuant to the Order issued by the Civil and Criminal Court of Judicature, dated August 18, 1823, and delivered at Surinam this 182 .

*Imposts payable for One Year.*

Head-money payable for Slaves without distinction  
of age at *f* 7 : 10 per head .....

10 per cent. increase of ditto .....

Seal-duty .....

Total ..


*Note.* These Lists, Blank Forms of which may be had in the month of January in each year, at the Office of General Control of Finances, are, on being filled up, to be delivered in at the same, previous to the last day of February, under a penalty of fifty guilders.

*No. 120.—Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, July 7, 1824.*

I HAVE received Mr. Lance's Despatch of the 30th of March, enclosing a Copy of a Blank Form to be filled up and renewed annually at every Plantation in Surinam, for the purpose of ascertaining the name, age, occupation, and religion, of every Slave in the Colony.

His Majesty's Government have perused with satisfaction the proof thus given by the Local Authorities of Surinam, of their sincere endeavours to second the humane intentions of their Sovereign, as recorded in the Treaty between Great Britain and The Netherlands, for the Abolition of the Trade in Slaves.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

*No. 121.—J. H. Lance, Esq. to Mr. Secy. Canning.—(Rec. July 7.)*

SIR,

*Surinam, May 3, 1824.*

I HAVE the honour to acknowledge the receipt on the 30th Ultimo, of your Circular dated January 31st, and also of your Despatch of the 4th of February, of this year, with the Enclosures therein contained.\*

I have the honour to be, &c.

*The Right Hon. George Canning.*

J. H. LANCE.

*No. 122.—J. H. Lance, Esq. to Mr. Secy. Canning.—(Rec. July 7.)*

SIR,

*Surinam, May 20, 1824.*

I HAVE the honour to inform you that *Mr. Gerard De Veer* was this day appointed by His Excellency the Governor, acting on the part of His Majesty The King of The Netherlands, Provisional Secretary of the Court of Mixed Commission here, on the resignation of *Mr. Guicherit*, who retires on a Pension.

\* See Class B, Session 1824, Nos. 16 and 58.



Mr. Gerard De Veer took the requisite oath to-day before the Members of the Court assembled for that purpose at the request of the Governor, and when his Appointment has been confirmed by His Majesty, he will be sworn in before the whole Court in due form.

I have the honour to be, &c.

*The Right Hon. George Canning.*

J. H. LANCE.

No. 123.—*J. H. Lance, Esq. to Mr. Secy. Canning.*—(Rec. Sept. 9.)  
SIR, *Surinam, July 21, 1824.*

I HAVE the honour to acknowledge the receipt of your Despatch of February 4, and also of your Despatch dated May 28, 1824, and in obedience to your Instructions contained in the latter, I immediately acquainted the other Members of the Board, forming our Commission, that His Majesty's Ship, *Thetis*, of 46 Guns, commanded by Captain Sir John Phillimore, had been furnished with the *Instructions* annexed to the *Treaty* of the 4th of May, 1818, between His Majesty and The King of The *Netherlands*, for the prevention of the Traffic in Slaves.

Nothing of importance has occurred here since my last Despatch.

I have the honour to be, &c.

*The Right Hon. George Canning.*

J. H. LANCE.

No. 124.—*C. E. Lefroy, Esq. to Mr. Secy. Canning.*—(Rec. Oct. 19.)  
SIR, *Paramaribo, Surinam, August 20, 1824.*

I HAVE the honour to announce to you my arrival in this Town yesterday, the 19th instant, and that I had the pleasure of finding Mr. Lance in good health; and that I have since waited upon His Excellency the Governor, to acquaint him with my resumption of my official duties.

I have the honour to be, &c.

CHRIS. EDWARD LEFROY.

*The Right Hon. George Canning.*

No. 125.—*Mr. Secy. Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, November 20, 1824.*

I SEND to you, for your information and guidance, a Copy of the Act passed in the last Session of the Parliament of the United Kingdom, Cap, 113, for amending and consolidating the Laws of this Country for the Abolition of the Slave Trade; and, for your further information and guidance, in respect to the 75th Clause of that Act, I send to you the Copies of a Correspondence which has passed between this Office and His Majesty's Treasury [*Enclosures in No. 9*], upon the subject of the Enactment therein contained, for the transmission of certain Lists and Returns to His Majesty's Treasury.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 126.—*His Majesty's Commrs. to Mr. Secy. Canning. (Rec. Dec. 13.)*  
SIR, *Surinam, September 15, 1824.*

WE have the honour to acknowledge the receipt of your Despatch, dated May 30, 1824, acquainting us for our information, and that of the other Members of our Commission, that the Instructions annexed to the *Treaty* between His Majesty and The King of *The Netherlands*, for the prevention of the Slave Trade, have been issued to the Ships and Vessels of His Majesty's Navy, following, viz., *Gloucester, Owen Glendower, Ariadne, Victor, Swinger*, with the number and names of their Guns and Commanders, and withdrawn from the following, viz. *Iphigenia, Sybille, Tamar, Tees, Tyne, Thistle, Snapper*.

We have the honour to be, &c.

CHRIS. EDW. LEFROY.

*The Right Hon. George Canning.*

J. H. LANCE.

No. 127.—*His Majesty's Commrs. to Mr. Secy. Canning.—(Rec. Feb. 4.)*  
SIR, *Surinam, November 28, 1824.*

WE have the honour to acknowledge the receipt of your Despatch, dated July 7th. 1824. We have the honour to be, &c.

CHRIS. EDW. LEFROY.

*The Right Hon. George Canning.*

J. H. LANCE.

No. 128.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, February 28, 1825.*

I SEND to you, for your information, and that of the other Gentlemen forming the Board of which you are Commissioners, the accompanying Copy of a Letter from the Secretary to the Admiralty [*Enclosure* in No. 61], giving an account of Ships and Vessels in His Majesty's Navy which have been furnished with the Instructions for Cruizers, referred to in the Treaty for the prevention of Slave Trade, concluded between His Majesty and The King of The Netherlands on the 4th of May, 1818. I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

No. 129.—*Mr. Secretary Canning to His Majesty's Commissioners.*  
GENTLEMEN, *Foreign Office, April 4, 1825.*

THE Despatch of Mr. Lance, of February 6th, 1824, was communicated to His Majesty's Ambassador at The Hague, who was instructed to urge upon the Government of The Netherlands the expediency of rendering The Netherlands' Regulations, as to the Captors of Slave Traders, more favorable than they appear to have been to the capturing Vessel.

The King of The Netherlands, with that candour which does him honour, admitted the truth of the observations submitted to His Majesty; and has issued a Decree, by which the Officers and Crew of a

Netherlands Cruizer, in the case of the Capture of Vessels, afterwards condemned by the Mixed Commission, shall obtain a grant of that portion of the seizure which by right belongs to the Netherlands' Government, the expenses of the trial in The Mixed Commission Court being first deducted; and further, that the Officers and Crew of a Capturing Vessel shall obtain the *nett* proceeds of all Slave Trading Vessels, taken in virtue of The Netherlands' Law of the 23d of December, 1824.

I send to you a Copy of the Note from The Netherlands' Minister to His Majesty's Acting Minister Plenipotentiary at Brussels, in which the Decree of the 14th of March, 1824, is recorded.

I am, &c.

*His Majesty's Commissioners.*

GEORGE CANNING.

## Class B.

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## SPAIN.

No. 1.—*Mr. Secretary Canning to Sir William à Court.*

SIR,

*Foreign Office, May 9, 1824.*

I ENCLOSE to you the Copy of a Communication from the Colonial Department, transmitting the description of an indentured African, named *Ashcca*, who had disappeared from the Bahamas, and of an Individual, named *John Turner*, who was supposed to have absconded with him to the Island of *Cuba*; and I have to desire, that you will make application to the Spanish Government, to send orders to the Authorities at *Cuba*, for the restoration of the African described.

I am, &c.

*The Right Hon. Sir W. à Court.*

GEORGE CANNING.

(*Enclosure A.*)—*R. Wilmot Horton, Esq. to Joseph Planta, Jun. Esq.*

SIR,

*Downing Street, April 28, 1824.*

I AM directed by Earl Bathurst to enclose to you, for the information of Mr. Secretary Canning, the accompanying Copy of a Letter which his Lordship has received from the Collector of His Majesty's Customs at the Port of *Nassau* in the Bahamas, transmitting the description of an *indentured African* who had disappeared from that Place, and of an individual who was supposed to have absconded with him to the Island of *Cuba*, and I am to request that you will lay these Papers before Mr. Canning, in order that, if it shall appear to him to be expedient, he may direct application to be made to the Spanish Government to cause the restoration of the African described.

I have the honour, &c.

*Joseph Planta, Jun. Esq.*

R. W. HORTON.

(*Enclosure B.*)

*The Collector of the Customs at Nassau to Earl Bathurst.*

MY LORD,

*Custom-House, Nassau, March 5, 1824.*

I BEG to lay before your Lordship the description of an *indentured African*, and also of the person who absconded and took him with him.

Having reason to believe that any application to the Colonial Authorities in *Cuba*, from hence, would be ineffectual, I am induced to intercede for your Lordship's interference to obtain the restoration of this individual to his freedom, of which he will be, no doubt, deprived in *Cuba*.

I have, &c.

*The Right Hon. Earl Bathurst.*

C. PATIER.

(*Enclosure C.*)

DESCRIPTION of an African Apprentice, supposed to have been



carried over to *Cuba*, by Mr. John Turner, to whom he was apprenticed, and who has been reported to have been seen at El Cayo, in Cuba.

No. 47. *Asheca*, aged 11 years, four feet 5 $\frac{1}{4}$  inches high, Country Marks on the Belly; apprenticed to John Turner, of Nassau.

*John Turner*, about 5 feet 5 or 6 inches high, fair complexion, florid countenance, sandy hair, stout in person, about 35 years of age, absconded from these Islands about October, 1823.

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No. 2.—*Sir William à Court to Mr. Secy. Canning.*—(Rec. May 16.)  
SIR, *Madrid, April 25, 1824.*

IN consequence of your Despatch enclosing Captain Sir Thomas Cochrane's Report of the active commerce in Slaves still carried on from *Porto Rico*, I addressed the enclosed Note upon the subject to the Spanish Secretary of State.

His Excellency has since informed me, that the matter shall immediately be inquired into, and if the facts should turn out to be as stated, that the necessary orders to put an end to such proceedings shall immediately be given.

I have the honour, &c.

*The Right Hon. George Canning.*

WILLIAM A'COURT.

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(Enclosure.)—*Sir William à Court to The Conde de Ofalia.*

*Madrid, April 17, 1824.*

THE Undersigned has been ordered to state to the Spanish Government, that undoubted information has been received from British Officers employed upon the West India Station, that Importations of Slaves take place to the Spanish Colony of *Porto Rico* to the extent of from 8 to 10 cargoes in the year.

The Undersigned, in pointing out this glaring infraction of the Engagements which His Catholic Majesty has solemnly contracted, for the abolition of the Slave Trade, has been directed to urge, that fresh and immediate orders should be sent to the Colonial Authorities of Spain in the West Indies, to put an end to this inhuman Commerce.

He has the honour, &c.

*His Excellency The Conde de Ofalia.*

WILLIAM A'COURT.

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No. 3.—*Sir William à Court to Mr. Secy. Canning.*—(Rec. May 16.)  
SIR, *Madrid, April 25, 1824.*

UPON the receipt of your Despatch (marked Slave Trade) of the 5th Instant, I addressed the enclosed Note to the Count de Ofalia.

The Count has since informed me that Mr. Kilbee's proposal shall be taken into consideration.

I have the honour to be, &c.

*The Right Hon. George Canning.*

WILLIAM A'COURT.

R

(*Enclosure.*)—*Sir William à Court to The Conde de Ofalia.*

*Madrid, April 18, 1824.*

THE Regulations for putting an end to the Traffic in Slaves in the Island of *Cuba*, resting only upon the somewhat vague Decree of His Catholic Majesty, of the month of December, 1817, there appears not to be a sufficient preventive against the exercise of that Traffic.

As a measure of prevention, the Undersigned has been directed strongly to recommend to the Government of His Catholic Majesty, the expediency of granting a liberal *Reward* to any person employed in this Illicit Traffic who shall consent to denounce it; the said reward to be recovered upon the property of the person for whom Slaves are imported, or the possessor of Negroes illegally obtained.

The *onus probandi* of the legal importation (if it be one) to rest with the possessor of the Negroes. A measure of this sort appears unobjectionable, so far as respects the Government, and likely to be effective in deterring persons from purchasing Negroes illegally imported.

The Undersigned has the honour, &c.

*His Excellency The Conde de Ofalia.*

WILLIAM A'COURT.

No. 4.—*Sir William à Court to Mr. Secy. Canning.*—(*Rec. June 10.*)

SIR,

*Madrid, May 25, 1824.*

UPON the receipt of your Despatch of the 9th Instant, marked Slave Trade, I immediately addressed a Note to M. de Ofalia, demanding that the *Negro Apprentice* should be given up; a Copy of which I have the honour to enclose.

I have the honour to be, &c.

*The Right Hon. George Canning.*

WILLIAM A'COURT.

(*Enclosure.*)—*Sir William à Court to The Conde de Ofalia.*

*Madrid, May 25, 1824.*

THE Undersigned has the honour to transmit to His Excellency the Conde de Ofalia, the Copy of a Letter which has been addressed to Lord Bathurst, His Britannic Majesty's Secretary of State for the Colonial Department, by the Director of the Customs at the *Bahamas*, requesting that an application may be made to the Spanish Government for the restoration of a Negro Apprentice, named *Asheca*, enticed away from Nassau by a certain *John Turner*, for the purpose of selling him in the Island of *Cuba*.

The description of both Individuals is herewith enclosed.

The Undersigned has been directed by Mr. Canning to bring these facts to the knowledge of the Spanish Government, and to request that orders may be issued for the restoration of the said *Asheca* to the British Authorities.

He avails himself, &c.

*His Excellency The Conde de Ofalia.*

WILLIAM A'COURT.

No. 5.—*Sir William à Court to Mr. Secy. Canning.*—(Rec. June 17.)  
SIR, Madrid, June 2, 1824.

I HAVE the honour to enclose a Copy of the answer I have received from M. de Ofalia to the Note enclosed in my Despatch marked Slave Trade, of May 25th. Orders will immediately be sent to Cuba to restore the Negro Apprentice *Asheca*.

I have the honour to be, &c.

The Right Hon. George Canning.

WILLIAM A'COURT.

(Enclosure.)—*The Conde de Ofalia to Sir W. à Court.*—(Translation.)  
HONOURED SIR, Aranjuez, May 31, 1824.

I HAVE the honour to inform you that, having laid before The King, my Master, the complaint which you make by order of your Government, respecting *Asheca*, the Negro apprentice, carried from Nassau by one *John Turner*, with the view of selling him at the Island of Cuba; I am directed by His Majesty to transmit to the Captain General of that Island the order to have him returned, if he should be found in it, to the English Authorities.

I avail myself, &c.,

The Minister of England.

COUNT DE OFALIA.

No. 6.—*Sir William à Court to Mr. Secy. Canning.*—(Rec. Aug. 1.)  
SIR, Madrid, July 16, 1824.

HAVING heard from His Majesty's Consul at Cadiz, that two Vessels were fitting out in that Port in such a manner as to leave no doubt of the intention of the Owners to employ them in the Slave Trade, I addressed a Note, a Copy of which I enclose, to M. de Salazar, requesting the detention of the Vessels, and the punishment of those taking part in this illegal and inhuman traffic.

I have the honour to be, &c.

The Right Hon. George Canning.

WILLIAM A'COURT.

(Enclosure.)—*Sir William à Court to M. de Salazar.*

Madrid, July 15, 1824.

THE Undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has learnt this morning, by a Letter from the British Consul at Cadiz, that there are at this moment two Vessels in that Port fitting out in such a manner as to leave no doubt of the intention of the Owners to employ them in the Slave Trade, in direct and manifest violation of the Treaty of September, 1817.

The Owner of one of them, (*James Tinto*), publicly declares the object of their voyage, and says, that if one Vessel out of four escape being captured, the enterprise will be a lucrative one.

It appears to be the intention to fit out four other Vessels for the same purpose, as soon as the two first shall have sailed. The objects

of the Owners have been greatly facilitated by the license to carry guns, which has been granted to them by Spanish Authorities.

The Undersigned has the honour to bring these facts to the knowledge of the Spanish Government, and to enclose a description of the two Vessels, and their reputed destination, under the full persuasion that immediate measures will be taken to prevent their departure, and to bring to punishment those persons engaged in this illegal and inhuman traffic.

He avails himself, &c.

*Don Louis Salazar.*

WILLIAM A'COURT.

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No. 7.—*Mr. Secretary Canning to Sir William à Court.*

SIR,

*Foreign Office, August 11, 1824.*

THE enclosed Copies of Letters from His Majesty's Commissary Judge at *The Havannah*, dated the 14th and 30th of June last, will show to you that the Trade in Slaves is still carried on in the Island of *Cuba*, with a publicity and impunity little reconcileable to those principles which form the basis of the Treaty of 1817, between this Country and Spain, for the "Abolition of the Slave Trade throughout the entire Dominions" of the latter Country.

It appears by the Letters of *Mr. Kilbee*, that within one month, or thereabouts, (the month of June last,) five Vessels, notoriously concerned in the Trade in Slaves, had arrived at *The Havannah*, having landed at some other Port their cargo of Human Beings; that Negroes were exposed for sale in the Depôts for that purpose, and that transactions for the sale of illegally imported Slaves were carried on with almost the same publicity as before the Abolition.

It appears from the Reports which I have from time to time communicated through you to the Government of His Catholic Majesty, that the evil here complained of is rapidly increasing in the Island of *Cuba*, and that the Authorities, however well disposed to the cause of the Abolition, have it not in their power to stop the progress of the Trade, under the present laxity of the Colonial Laws upon that point.

I wish you therefore to endeavour to draw the attention of the Spanish Ministry seriously to the subject, and to persuade them to issue such Orders and Regulations as shall be calculated to put a stop to this growing mischief.

I am, &c.

*The Right Hon. Sir W. à Court.*

GEORGE CANNING.

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No. 8.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, October 25, 1824.*

I ENCLOSE to you the Copy of a Despatch, dated 31st July, with its Enclosures, from His Majesty's Commissary Judge at *The Havannah*, containing the details of certain proceedings at that Settlement on the



occasion of the Capture of the Brig, *Maria de la Gloria*, under suspicion of illegal Slave Trading.

It appears that some discussion took place in this Case between the Captain General, the Admiral, and the Commissioners of the Mixed Commission Court under the Treaty with Spain for the suppression of illegal Slave Trade.

The chief point to be remarked in this discussion, is the attempt which was made by the Court of Admiralty at The Havannah, to assume to itself the investigation of the Case: an attempt which was resisted by the Captain General, who decided in favour of the powers which had been granted to the Mixed Commission by the Treaty between Great Britain and Spain.

You will convey to the Government of His Catholic Majesty the satisfaction which has been felt by the King's Government, at learning the strenuous and upright manner in which the Captain General of The Havannah thus executed the intentions of his Sovereign, in the due fulfilment of the compact between the two Countries for the suppression of Slave Trade; and you will express the hope of His Majesty's Government, that the conduct of that Officer, in this instance, will have met with and received the approbation of his Sovereign.

You will take this opportunity of remarking, that to the printed Copy of the Instructions with which the Captain of the *Marte*, who captured the *Maria de la Gloria* was provided, there was no signature of the Minister of Marine; and you will request that, in order to prevent any difficulties and discussions on this point in future, that formality may henceforth be observed, conformably to the Eleventh Article of the "Instructions," which expressly require that the signature of the Minister of Marine shall be affixed to all Copies of Instructions furnished to a Cruizer of the Contracting Parties to the Treaty.

I am, &c.

George S. Bosanquet, Esq.

GEORGE CANNING,

No. 9.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, November 15, 1824.*

IN reference to my Despatch to Sir William à Court of the 11th of August, I transmit to you the Copies of two further Despatches from Mr. Kilbee, dated the 3d of August, and 4th of September, and of their Enclosures, containing *lists of vessels* which have recently cleared out for the Coast of Africa, from the Port of *The Havannah*. These Vessels were, doubtless, mostly destined for the Slave Trade; and instances frequently have occurred, as you will see detailed in the enclosed Despatches, of Vessels, on their return from their original destination in Africa, being officially reported to have returned from other Ports, at which they had never touched.

This is but one of the methods by which the Laws are evaded, and Slave Trade is carried on with impunity, in *Cuba*.

You will communicate these Papers to the Spanish Government, and repeat, in the name of your Government, their earnest hope that some means will be devised, by more efficient Regulations, for putting down a trade which appears still to exist in full force in the Colonial Possessions of Spain, although His Catholic Majesty formally abolished it by Treaty, so long ago as the year 1820.

I am, &c.

*George S. Bosanquet, Esq.*

GEORGE CANNING.

No. 10.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, Nov. 19, 1824.*

I HEREWITH transmit to you, for your information, a Copy of Papers, marked A. and B., relative to the Slave Trade, which were presented to both Houses of Parliament, by His Majesty's Command, in the course of the last Session.

I am, &c.

*George S. Bosanquet, Esq.*

GEORGE CANNING.

No. 11.—*Joseph Planta, Jun. Esq. to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, November 20, 1824.*

I AM directed by Mr. Secretary Canning to send to you, for your information, a Copy of the Act, recently passed, for amending and consolidating the Laws relating to the Abolition of the Slave Trade.

I am, &c.

*G. S. Bosanquet, Esq.*

J. PLANTA, JUN.

No. 12.—*G. S. Bosanquet, Esq. to Joseph Planta, Jun. Esq.*

*(Received October 7.)*

SIR,

*Madrid, September 20, 1824.*

THE Orders contained in Mr. Secretary Canning's Despatch, of the 11th Ult., marked Slave Trade, directing remonstrances to be made to the Spanish Government respecting the continuance of the Traffic at *Cuba*, having never been executed, on account of the absence of the Minister for Foreign Affairs, I think it right to apprise you of this circumstance, in order that you may send any Instructions you think proper respecting it.

I have the honour to be, &c.

*Joseph Planta, Jun. Esq.*

GEORGE S. BOSANQUET.

No. 13.—*G. S. Bosanquet, Esq. to Mr. Secy. Canning.—(Rec. Nov. 25.)*

SIR,

*Madrid, November, 14, 1824.*

I HAVE the honour to acknowledge the receipt of your Despatch,

marked Slave Trade, dated the 25th of October, and shall lose no time in carrying into effect the Instructions therein contained.

I have the honour to be, &c.

*The Right Hon. George Canning.*

G. S. BOSANQUET.

No. 14.—*G. S. Bosanquet, Esq. to Mr. Secy. Canning.—(Rec. Dec. 5.)*  
SIR, *Madrid, November 22, 1824.*

I HAVE the honour to transmit to you the Copy of a Note, which I have received from the Spanish Secretary of State, in reply to a Communication made to that Gentleman's Predecessor by Sir William A'Court, relative to some Vessels fitting out at *Cadiz* for illegal Slave Trading.

You will perceive, Sir, by this Note, that the Government of His Catholic Majesty have determined that, in future, on granting *Licenses* to navigate, a special condition shall be inserted in the Bond of Security required from the Owners of the Vessels, that they shall not be employed in the Slave Trade.

I have the honour to be, &c.

*The Right Hon. George Canning.*

G. S. BOSANQUET.

(*Enclosure 1.*)—*M. de Zea Bermudez to G. S. Bosanquet, Esq.—*  
(*Translation.*)

HONOURED SIR,

*San Lorenzo, November 18, 1824.*

I HAVE laid before The King, my August Master, the Note addressed, under date of the 15th of July last, by Sir William A'Court to this Ministry, to acquaint them with the Intelligence which he had received from the English Consul at *Cadiz*, that several Spanish Vessels were preparing for the Slave Trade, and to state his persuasion that they would not be suffered to put to sea, and that those who thus attempted to violate the Provisions of the Treaty of September, 1817, would be punished; and His Majesty, though desirous to throw every possible obstacle in the way of His subjects carrying on the Traffic in Slaves, being yet prevented by the Laws from proceeding against the Masters of Vessels on mere suspicion, has been pleased to resolve, that, in the Bond, into which Merchant Vessels are required, pursuant to the Ordinance, to enter, upon being qualified by means of the *Royal License* of Navigation, the express obligation shall henceforth be inserted of their not engaging in the said Trade.

I shall this day, by the King's Order, communicate to the Minister of the Navy the proper directions for the accomplishment of this Resolution; and I have the honour to inform you of the latter, in reply to the above Note from the Minister of His Britannic Majesty, availing myself of the present opportunity, &c.

FRANCISCO DE ZEA BERMUDEZ.

*The Chargé d'Affaires of England.*

No. 15.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, December 17, 1824.*

I HAVE received your Despatch, marked Slave Trade, of the 22d of November last; and I have to desire, that you will express to the Government of His Catholic Majesty the satisfaction experienced by His Majesty's Government, at learning from the communication made to you by M. Zea, under date of the 18th of November last, that His Catholic Majesty had determined that, on granting in future to Merchant Vessels *Licenses* to navigate, a special condition should be inserted in the Bond of Security required from the Owners of the Vessels, that they should not be employed in the Slave Trade.

But you will observe to M. Zea, that there is nothing in this Regulation which would prohibit *Private Cruisers*, having Letters of Marque, from engaging in the Slave Trade. Such a prohibition would be, nevertheless, clearly conformable to the spirit of His Catholic Majesty's determination.

I am, &c.

*G. S. Bosanquet, Esq.*

GEORGE CANNING.

No. 16.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, January 24, 1825.*

I SEND to you the Copy of Despatch, dated the 20th of September, which I have received from His Majesty's Commissary Judge at *The Havannah*, containing suggestions with respect to the *disposal of Negroes* emancipated under the Slave Trade Treaty with Spain.

It is to be presumed, from the manner in which the subject has been treated between *Mr. Kilbee* and the Captain General of *Cuba*, that no specific directions have been given by the Government of Spain for the disposal of Slaves who may be placed under their protection in the event of emancipation under the Treaty. The suggestions of *Mr. Kilbee* appear to be well calculated to effect the beneficent object of that protection; and you will request from the Government of Spain an explanation of their intentions on this head, throwing out, at the same time, *Mr. Kilbee's* suggestions, for the consideration of the Spanish Ministry.

I am, &c.

*G. S. Bosanquet, Esq.*

GEORGE CANNING.

No. 17.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, January 24, 1825.*

I FURNISH you with the Extract of a Despatch, dated the 20th of September, which I have received from His Majesty's Commissary Judge at *The Havannah*, and of the Answer which I have this day returned to it; upon the subject of the *maintenance of Slaves* found on board of Vessels detained for illegal Slave Trade.

I have to desire that, in reference to the application, a Copy of which you will find in *Sir W. à Court's* Despatch of January 21st,



1824, you will make this point the subject of a renewed Representation to the Spanish Government, urging them to send out to their Commissioners at The Havannah and Sierra Leone, Instructions corresponding with those which have been given to His Majesty's Commissioners upon the point in question.

I am, &c.

G. S. Bosanquet, Esq.

GEORGE CANNING.

No. 18.—G. S. Bosanquet, Esq. to Mr. Secy. Canning.—(Rec. Jan. 31.)

SIR,

Madrid, January 18, 1825.

I HAVE the honour to acknowledge the receipt of your Despatches, marked Slave Trade, of the 15th of November and 17th of December, last; the former relating to the facilities given to this Traffic at Cuba, the latter suggesting an extension of the Regulation respecting the Registry of Vessels to *Private Cruisers*.

I have transmitted the Documents enclosed in the first of these Despatches to the Spanish Government, accompanied by the enclosed Note.

On the receipt of the second, I communicated its contents, verbally, to M. Zea, and His Excellency appeared to think that there would be no difficulty on the subject. He expressed, however, the desire to have the wishes of His Majesty's Government communicated in writing, in order that he might consult with the Minister of Marine upon the measures to be devised in order to meet them;—a suggestion which I accordingly complied with.

I have the honour to be, &c.

The Right Hon. George Canning.

GEORGE S. BOSANQUET.

(Enclosure.)—G. S. Bosanquet, Esq. to M. de Zea Bermudez.

Madrid, November 30, 1824.

THE Undersigned, His Britannic Majesty's Chargé d'Affaires, in pursuance of the Instructions received from his Government, has the honour to communicate to His Excellency Don Francisco de Zea Bermudez, Copies of two Despatches with their Enclosures, received from His Majesty's Commissary Judge residing at *The Havannah*, under the Treaty for the suppression of the Slave Trade, by which His Excellency will perceive, that the above Traffic is carried on with great impunity in the Island of *Cuba*, and that the Authorities, however well disposed, are unable to stop its progress under the existing laxity of the Colonial Laws. Within the period of eight months, no less than 34 Vessels had sailed from *The Havannah* alone, notoriously for the purpose of engaging in the Slave Trade; and the fraudulent intentions of the Owners are frequently facilitated, by their Vessels, on their return from their original destination in Africa, being officially reported to have returned from other Ports.

As the new Regulations, which His Excellency Don Francisco de Zea Bermudez did the Undersigned the honour to communicate to him in his Note of the 18th instant, have in a great measure anticipated the wishes of His Majesty's Government on this subject; he will merely express the hope, that no time will be lost in making them known to the Captain General of *Cuba*, in order that the beneficent intentions of His Catholic Majesty, effectually to put down this disgraceful Traffic in the Colonial Possessions of Spain, may no longer be frustrated, and the Laws evaded by the methods hitherto so successfully employed for that purpose.

The Undersigned avails himself, &c.

H. E. Don F. de Zea Bermudez.

G. S. BOSANQUET.

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No. 19.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, February 18, 1825.*

IN reference to my Despatches to you, marked Slave Trade, of the 25th October, 1824, and of January 24th, 1825, upon the subject of the *Maria de la Gloria*, and of the question of *Emancipated Slaves*, as arising out of the treatment of the Slaves which were landed from that Vessel, I send to you the Copy of a Despatch upon this subject, dated the 15th of November last, which I have received from His Majesty's Commissary Judge at *The Havannah*; and I have to desire that you will bear in mind the purport of this Despatch, and make such use of it as may be most expedient in your Communications with the Spanish Government upon the points in question.

I am, &c

G. S. Bosanquet, Esq.

GEORGE CANNING.

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No. 20.—*Mr. Secretary Canning to G. S. Bosanquet, Esq.*

SIR,

*Foreign Office, February 25, 1825.*

I SEND to you herewith the Copies of two Despatches from *Mr. Kilbee*, His Majesty's Commissary Judge at *The Havannah*, dated the 15th and 28th of November last. You will find in these Papers, and particularly in the Note addressed to the Captain General by *Mr. Kilbee* on the 14th of November, 1824, a detailed statement of the mode by which the Laws of Spain, abolishing the Slave Trade, are evaded in the Island of Cuba.

You will address a Note upon the subject to the Spanish Government. You will comment upon the Cases of the *Nicanor*, the *Tranquilidad*, and the *Marie*, which had recently arrived at *The Havannah*, nominally in ballast, but notoriously with cargoes of Slaves which they brought from Africa, and landed at the back of the Island; and you will press upon the Government of His Catholic Majesty the adoption of some measures which shall give efficacy to the solemn compact en-

tered into by Spain, in the year 1817, for the abolition of the Slave Trade.

I am, &c.

G. S. Bosanquet, Esq.

GEORGE CANNING.

No 21.—G. S. Bosanquet, Esq. to Mr. Secy. Canning.—(Rec. Feb. 27.)  
SIR, Madrid, February 17, 1825.

I HAVE the honour to enclose the Copy of a Note which I addressed to His Excellency Don Francisco de Zea Bermudez, on the 20th of November last, in compliance with the Instructions contained in your Despatch, marked Slave Trade, of the 25th October.

I had inadvertently neglected to transmit this Note at an earlier period.

I have the honour to be, &c.

The Right Hon. George Canning.

G. S. BOSANQUET.

(Enclosure.)—G. S. Bosanquet, Esq. to M. de Zea Bermudez.

SIR,

Madrid, November 20, 1824.

IN my conversation with your Excellency a few days since, I had the honour to state to you that I should shortly have to address you on the subject of certain proceedings at *The Havannah*, on the occasion of the capture of a Portuguese Brig, the *Maria de la Gloria*, under suspicion of illegal Slave Trading.

As it appears that Your Excellency is already acquainted with the particulars of this Case, it is unnecessary for me to enter into a detailed statement thereof.

Your Excellency will have perceived that some discussion took place between the Captain General, the Admiral, and the Members of the Mixed Commission, on account of the attempt made by the Court of Admiralty of *The Havannah*, to assume to itself the investigation of the Case, on the ground that although the Vessel in question had been detained on the Coast of *Cuba*, by His Catholic Majesty's Brig of War, *Marte*, she had originally been captured by the *Romano*, Privateer.

The decision of this point was in consequence referred to the Captain General, and His Excellency decided in favour of the powers which had been granted to the Mixed Commission by the Treaty between Great Britain and Spain.

I have been instructed to express to the Government of His Catholic Majesty the satisfaction which has been felt by His Majesty's Government, at learning the strenuous and upright manner in which the Captain General of *The Havannah* thus executed the intention of his Sovereign, in the due fulfilment of the compact between the two Countries for the suppression of the Slave Trade; and I am to express the hope of the King's Government, that the conduct of that Officer in this instance will have met with and received the approbation of his Sovereign.

I am directed at the same time to remark, that in the printed Copy of the Instructions with which the Captain of the *Marte* was provided, there was no signature of the Minister of Marine, and to request that in order to prevent any difficulties and discussions on this point in future, that formality may henceforth be observed, conformably to the Eleventh Article of the Instructions, which expressly require that the signature of the Minister of Marine shall be affixed to all Copies of Instructions furnished to a Cruizer of the Contracting Parties to the Treaty.

I have the honour to be, &c.

GEORGE S. BOSANQUET.

*His Excellency Don Francisco de Zea Bermudez.*

No. 22.—G. S. Bosanquet, Esq. to Mr. Secy. Canning.—(Rec. Feb. 27.)  
SIR, *Madrid, February 17, 1825.*

IN compliance with the directions contained in your Despatch, marked Slave Trade, of the 24th Ultimo, I have called the attention of the Spanish Minister to the important subject of the *disposal of Slaves after Emancipation*, in the Note which I have the honour to enclose.

I at the same time transmitted to His Excellency a Copy of Mr. Kilbee's Despatch, as the best mode of drawing the attention of the Spanish Government to the suggestions contained in that Document.

I have the honour to be, &c.

*The Right Hon. George Canning.*

G. S. BOSANQUET.

(Enclosure.)—G. S. Bosanquet, Esq. to M. de Zea Bermudez.

*Madrid February 10, 1825.*

As it appears by the Communications which have lately taken place between Mr. Kilbee, His Britannic Majesty's Commissary Judge residing at *The Havannah*, under the Slave Trade Treaty, and the Captain General of *Cuba*, that no specific directions have yet been given by the Government of His Catholic Majesty, for the *disposal of Negroes* who may be placed under their protection after Emancipation, the Undersigned has received the Instructions of his Government to call the attention of His Excellency Don Francisco de Zea Bermudez to this subject, and to request an explanation of the intentions of the Spanish Government upon a point so essential to the welfare of the unfortunate Beings who may be thus situated.

The Undersigned has the honour to transmit to His Excellency, enclosed, an extract of a Despatch on this subject, addressed by Mr. Kilbee to Mr. Canning, the suggestions contained in which appear so well calculated to effect the beneficent object of ensuring the Slaves due protection, that he flatters himself they will be found worth consideration.

He avails himself, &c.

*H. E. Don F. de Zea Bermudez.*

G. S. BOSANQUET.



No. 23.—*G. S. Bosanquet, Esq. to Mr. Secy. Canning.*—(Rec. March 28.)

SIR, Madrid, March 13, 1825.

WITH reference to a Despatch addressed to Sir William à Court, under date the 31st of March, 1824, complaining that importations of Slaves were permitted by the Governor of *Porto Rico*, and directing a representation to be made in consequence to the Spanish Government; I have the honour to transmit the Copy of a Note which has been addressed to me by M. Zea, containing explanations on this subject.

The Captain General of that Island positively denies that any such infraction of the Slave Trade Treaty has been allowed, either by His Excellency or the Authorities under his command, and adds that the Foreigners who have been allowed to settle in the Colony, with their Slaves, have been compelled to observe certain regulations for preventing such abuses. He thinks, therefore, that the reports which have given rise to this complaint must have arisen from Proceedings of a similar nature being carried on in some of the neighbouring Islands.

I have the honour to acknowledge the receipt of your Despatch marked Slave Trade, of the 18th of February, enclosing a communication from *Mr. Kilbee* on the subject of the disposal of *emancipated* Negroes. Having already explained fully to the Spanish Minister the necessity of coming to some decision on this point, I shall reserve the additional observations contained in *Mr. Kilbee's* Despatch, until it may appear necessary to make use of them.

I have the honour to be, &c.

*The Right Hon. George Canning.* GEORGE S. BOSANQUET.

(Enclosure) *M. de Zea Bermudez to G. S. Bosanquet, Esq. (Translation.)*

SIR, Palace, March 6, 1825.

IN consequence of the Communication which your Predecessor was pleased to make on the 17th of April of last year, manifesting the apprehension that the Slave Trade was carried on at *Porto Rico*; he was made acquainted, on the 30th of the same month, by the Commands of The King, my August Master, with the measures taken; and orders were transmitted for the purpose of obtaining information on this subject, and checking these excesses should they really exist.

The explanation given by the Captain General of Puerto Rico in pursuance of these orders, prove that none of the Authorities in the Island have permitted any such infraction of the Treaties as those complained of, but that on the contrary these Treaties have been scrupulously respected and observed.

The settlement of Foreigners, with their Slaves, which has been allowed, has been carried on in exact conformity with the regulations

established by the Royal *Cedula* of the 10th August, 1815, and with all the formalities requisite to prevent fraud. His Excellency, feeling certain that no such scandalous proceeding has been remarked in the Island, the government of which His Majesty has committed to his charge, is apprehensive it may have taken place in the neighbouring Islands, and being anxious to promote the prosperity of this Possession, he promises to observe the most active vigilance, without ever departing from those obligations which are imposed on him by the Laws and by Treaties.

His Majesty feeling satisfied, Sir, from these communications, that His Sovereign Mandates have been punctually observed, and convinced at the same time that they will be sufficient to do away the apprehensions entertained, has commanded me to communicate to you the above Advices received from the Governor of *Porto Rico*, in order that you may make of them whatever use you think proper.

I have the honour, &c.,

FRANCISCO DE ZEA BERMUDEZ.

*The English Chargé d'Affaires.*

No. 24.—*Mr. Secretary Canning to The Right Hon. Frederick Lamb.*  
SIR, *Foreign Office, April 4, 1825.*

IN your communications with the Government of Spain, you will take an early opportunity of adverting to the subject of the Abolition of Slave Trade.

You will express the regret which is experienced by His Majesty, and the feeling of disappointment which has been excited in the Parliament and People of England, by the statements which we continually receive, indicating the open and uncontrouled activity with which this traffic is still carried on by the subjects of Spain, not only in evasion, but in apparent defiance of the Treaty concluded by His Catholic Majesty in 1817, for abolishing the African Slave Trade.

Information from *Cuba* shows, that forty-four Vessels, conveying (upon a fair calculation) above 16,000 Slaves from Africa, arrived at The Havannah in the course of the last year, having landed their cargoes in that Island.

The Authorities of the Colony take no notice of these arrivals, and their negligence is seconded by the connivance of the Naval Officers, and by the apathy of the Government of Spain.

The Captain General of *Cuba* declares that Copies of the Additional Articles to the Treaty, which Articles were concluded so far back as December, 1822, have never yet been transmitted to him by his Government; and he has, accordingly, refused to act upon their Stipulations.

Vessel after Vessel clears out from *Cuba* regularly for the coast of

Africa, and, after an absence of the usual period for the voyage, returns laden with Slaves, lands her cargo at the back of the Island, and puts into *The Havannah*, declaring herself to have returned in ballast. These Declarations are universally admitted by the Local Authority without inquiry, and the Ship is allowed to enter. The representations of His Majesty's Commissary Judge at *The Havannah* are of no effect; he is either answered that it does not lie within his sphere to demand an inquiry, or he is referred from one Authority to another, and each Authority declares that it does not feel itself called upon to interfere in the matter, in any way that can be effectual: when all these evasions and excuses are exhausted, His Majesty's Commissary Judge is told at times that the question has been referred to Madrid; and the fact, that the Articles of December, 1822, have not yet been acted upon by the Government of Spain, is of itself sufficient to prove how hopeless any reference from the Authorities of *The Havannah* to the Court of Madrid is become, upon a question of fulfilling the Treaty for abolishing the Slave Trade.

In the mean time the trade increases. The concerns of the traffic are carried on in shares. The adventurers in these shares do not conceal their interest in them, and it is notorious that there is scarcely an individual in the department of the local Government itself, who is not directly, or indirectly, concerned in the trade.

From the correspondence in the Archives of the British Mission at Madrid, you will learn a detail of these facts, and also the notice which has been repeatedly given of them to the Spanish Government by His Majesty's Representative at that Court.

I forward to you, herewith, Copies of some further Communications which have recently been received from *Mr. Kilbee*, and also a communication from the Admiralty, dated March 19th, in corroboration of the statements which form the ground of this Instruction. I particularly beg your attention to the Letter of *Messrs. Dutocq*, merchants at *The Havannah*, adventurers in this traffic, descriptive of the open manner in which the trade is carried on, and of the protection of which they state themselves to be assured from the Local Authorities, in the support of their lawless enterprises.

I have His Majesty's especial Commands to desire that you will, referring to the several points upon this subject of deep and general interest, on which the Spanish Government have already been addressed ineffectually on the part of His Majesty, frame a strong remonstrance to the Government of Spain, calling upon His Catholic Majesty to carry into effect with good faith the engagements into which He solemnly entered for the abolition of the traffic in Slaves.

I am, &c.

*The Right Hon. Frederick Lamb.*

GEORGE CANNING.

(Enclosure 1.) *J. W. Croker, Esq., to Joseph Planta, Jun., Esq.*

SIR,

*Admiralty Office, March 19, 1825.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, a Copy of a Letter from Vice-Admiral Sir Lawrence Halsted, with Copies of the several Letters and Papers therein referred to, containing an account of the capture of a Slave Vessel, the *Zee Bloem*, under Dutch Colours, by a *Columbian* Cruizer, near the Island of *Cuba*, and some information relative to the Slave Trade which is carried on in the *West Indies*.

I am, &c.

*Joseph Planta, Jun., Esq.*

J. W. CROKER.

(Enclosure 2.) *Vice-Admiral Halsted to J. W. Croker, Esq.*

SIR,

*Serapis, Port Royal, Jamaica, Jan. 12, 1825.*

I HAVE the honour to transmit for the information of My Lords Commissioners of the Admiralty, a Copy of a Letter with several Enclosures from Lieutenant Cawley of the *Grecian*, reporting that the *Columbian* Cruizer, "*Zulme*," had boarded a suspicious Vessel he was in chase of, on the 2d instant, off the west end of *St. Domingo*, which proved to be the Schooner, "*Zee Bloem*," under Dutch Colours, from *St. Jago de Cuba* bound to *St. Eustatia*, and had sent her into *Carthagen*a for adjudication, from having first boarded the said Schooner, and in consequence also of her having thrown overboard a set of *Spanish* Papers during the chase.

The several Enclosures (some of which are Copies of Letters, broken open by the Captain of the *Zulme*) will point out pretty clearly to their Lordships the mode in which the Slave Trade is carried on, and leave little doubt, at the same time, of the Schooner in question having recently landed a cargo of Slaves in *Cuba*, whilst from the complete state of her equipment, as shown in the Enclosure No. 1, and the arrangements made by the parties interested, there is every reason to suppose, when she was detained, she was proceeding to *St. Eustatius*, preparatory to making another voyage to the Coast.

There are also amongst the Enclosures two Letters, numbered 2 and 3, which will not escape their Lordships' attention; the one (No. 1) stating the publicity in some measure of Negro sales, and the landing of the cargo of the French Brig, "*Les Deux Nantois*," which was lately detained by the *Primrose*, and subsequently liberated, as reported in my letter (No. 245) of the 19th ultimo; the other (No. 2) detailing the favourable result of the sales of the Negroes at *St. Jago de Cuba* during the season, and soliciting a few more shipments of that sort.

I have, &c.

*John Wilson Croker, Esq.*

L. W. HALSTED.



(Enclosure 3.)—*Lieut. Cawley to Vice-Admiral Halsted.*

Sir,

*Port Royal Harbour, January 8, 1825*

I HAVE the honour to inform you, that, in compliance with your orders of the 3d of November last, I sailed from Port Royal in His Majesty's Cutter, *Grecian*, under my command, on the 6th of November, and arrived off St. Jago de Cuba on the 8th, and continued cruising between that Port and Cumberland Harbour until the 28th, when I bore up for Port Antonio, and arrived there on the 29th for further orders. I sailed again on the 1st of December, and arrived off St. Jago's on the 2nd of December. On the 5th, I communicated with His Majesty's Sloop, *Primrose*, in Cumberland Harbour, and immediately sailed for Cape Maize, and continued to cruise between it and the Island of Tortugas until the 2d of January, on which day, at 7.30 p.m., being then in chase of a suspicious sail, I fell in with two *Columbian* Cruisers, the *Funante* and *Zulmé*, the latter of which boarded chase, which proved to be the *Zee Bloem*, Schooner, of 177 tons, from St. Jago de Cuba, bound to St. Eustatius, and having no satisfactory Papers on board, and being very suspicious, I agreed with the Columbians to take her into Cumberland Harbour for further investigation, and found, from the examination of her Master and Crew, that her *Spanish* Papers had been thrown overboard.

A Copy of the examination, as likewise the Letters and Papers found on board of her, I have herewith enclosed; part of which gives some important information, which I trust may be of service. I have this day arrived at Port Royal, where I beg to await your further orders.

I have, &c.

*Vice-Admiral Sir L. W. Halsted.*

JOHN CAWLEY.

(Enclosure 4.)—*Inventory of Things found on board the Zee Bloem, Schooner.*

A COMPLETE set of spare Coppers; Shackles and Bolts; Hatch-bars fitted for Stocks; complete spare Deck in planks, fitted and marked for laying down; One tier Ledgers; several spare Trucks for Gun Carriages; Two partition Bulk Heads; Hand Shackles and Bolts, and Implements for confining Slaves; several Casks full of Cannister Shot, and Iron Bolts cut in short lengths and tied up; one long Nine-pounder on a pivot; two short Nine-pounder Carriage-guns; twenty-four Muskets and Bayonets. She was well found with every requisite for carrying on the Slave Trade.

(Enclosure 5.)—*L. Dutocq and Co. to Messrs. Bannaffe and Larivière.—*  
(Translation.)

*St. Jago de Cuba, December 12, 1824.*

UNDER the auspices of Mr. Couronneau of Bourdeaux, our friend, we have the honour of tendering to you our services at this Place. You

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know, Gentlemen, that the advantage which our market offers for the disposal of *Ebony*, gives it a great preference over any of our other Colonies; and it strikes us, that it would suit you to send to it a few shipments of that sort. We have received this year a great many cargoes of that article; on account of Merchants of *Nantes*, and towards the end of January, we expect here other Ships that have sailed from the last-mentioned Port. All our sales have been attended with a favourable result; the longest credit is fourteen months. It is always difficult enough to get cash, but by making sacrifices, one may still succeed in covering the amount of the fitting out. We must, however, tell you that our Town is one of those, where the payments are most punctual, and our last account-sales have left a capital of more than half cash, and half at twelve months' credit. The last cargo sold here was that of the *Harriette* of *Nantes*; 328 logs were disposed of on their landing (those that were damaged excepted) at 225 dollars each, payable part in cash, and part at eight, and part at twenty months' credit. This merchandise was of a very ordinary nature, and had suffered much; by getting rid of the article at once, you make a much better thing of it. Hitherto, the Vessels have made the little Bay, *Uragua Grande*, situated six leagues a head of the *Morro*; it is a spot where the landing is easily and conveniently effected. After the landing, the Vessel enters the Port, and the ——— repair to the plantation, where they are very well ———.

It is upon this spot that the Vessels must endeavour to approach, using at the same time a great deal of precaution, on account of the Cruisers. They must guard against reconnoitering *Guantanamo*; and stretching along the Coast, they must pass to the southward of *St. Domingo*, and keep in the offing. If on making *Uragua* they discover a suspicious Vessel, they must immediately proceed to the *Morro*, and anchor under the Fort with their signal flying. There they will receive instructions relative to the spot where they must land, and they may without inconvenience send a boat on shore. The Commandant, who is devoted to us, would deliver a Letter of instruction to the Captain. In the event of being chased, it would be adviseable for the Vessel to continue her course to leeward as far as a small Bay called *Assaradero*, which is situated about six leagues from *Fort Morro*, where she would meet with assistance, observing that in a case of imminent danger one may run ashore in the first small creek that presents itself. There are always there Indians, through whom a letter can be forwarded to Town. When once the cargo is on shore, all risk is at an end.

We have this day to communicate to you a circumstance that will, no doubt, afford you as much interest as it does to us.

The Brig *Two Nations*, [*Query*, *Deux Nantois*,] Captain *Peltier*, which had lately been captured by an English Cruiser (at the moment when she appeared before *Uragua* with a cargo of *Ebony*), and carried

to *Kingston*, has been released, the Admiral having declared that no one had the right of capturing the *French Flag*. In consequence of this, the Brig returned to *Uragua*, where she landed 456 logs. Had the wood been good, it would have had a fine sale; but owing to the bad state of the bulk of the cargo, which had suffered much, it is of the smallest kind. The liberation of this Vessel offers to us the assurance that our Flag will henceforth be respected. The three Vessels that were cruising upon our Coast were immediately recalled to Jamaica. As to the *Dutch*, there is only one *English Vessel of War* in our latitude commissioned to capture them, the others are altogether interdicted that right.

We consider, therefore, that there is no longer any risk upon our Coast, and that Vessels may present themselves with all safety before *Uragua*, where we constantly keep a Pilot. The sales meet with no opposition, and are carried on in some measure publicly.

Our coffee is still falling; no one would pay on the present day more than 9 or 9½ for the best: some fine has been bought lately at 8 and 8½.

We have the honour to salute you,

L. DUTOCQ and Co.

*Messrs. Bannaffe and Larivière, Point à Petre, Guadaloupe.*

MEM.—Two Letters, one directed to Messrs. Sanbor, Toubert, and Co., St. Thomas; the other directed to Monsieur A. Anthoine, Nantes, are worded precisely the same as the above.

(Enclosure 6.)—*L. Dutocq and Co. to Messrs. G. Segand and Son.*—  
(Translation.)

GENTLEMEN, *St. Jago de Cuba, December 29, 1824.*

WE have this day to communicate to you a circumstance that will, no doubt, afford you as much interest as it does to us. [Here follow the three last paragraphs of the preceding Letter.]

We have, &c.

L. DUTOCQ and Co.

Cate and Bourdeaux Wine at 24 and 25 Dollars the Cask.

*Messrs. G. Segand and Son, Point à Petre.*

(Enclosure 7.)—*L. Dutocq and Co. to Messrs. Cabot, Bailey, and Co.*  
GENTLEMEN, *St. Jago de Cuba, December 24, 1824.*

THIS will be handed to you by Captain J. Goldwaith, Master of the Schooner, *Zee Bloem*, who, in pursuance of instructions, visits your Port on his passage up to *St. Eustatia*, and we take pleasure in improving this opportunity of introducing him to your acquaintance; and to request for him your best advice and assistance towards the accomplishment of his views.

We take leave to open a credit in favour of Captain Goldwaith,

which we beg you to recognise to the extent of Twelve thousand Dollars, (12,000\$) and hereby acknowledge our responsibility for any transactions of his to that amount.

We are, &c.

(Signature of) *J. Goldwaith.* L. DUTOCQ and Co.  
Messrs. Cabot, Bailey, and Co., St. Thomas.

(Enclosure 8.)—*L. Dutocq and Co. to Messrs. Cabot, Bailey, and Co.*  
GENTLEMEN, St. Jago de Cuba, December 27, 1824.

THIS will be handed you by Captain *J. Goldwaith*, in command of the Dutch Schooner, *Zee Bloem*, to whom we have given a credit on you for Twelve Thousand Dollars, (12,000\$) as per Instructions of her Owner. Said Captain will advise with you as to the best mode to proceed in order to execute his voyage; he has our entire confidence, and to that extent in advances, and your most excellent advice, and efficient aid in all things, we beg leave to introduce him.

We are, &c.

For L. DUTOCQ and Co.  
Messrs. Cabot, Bailey, and Co., St. Thomas. AUG. NUIRY.

(Enclosure 9.)—*L. Dutocq and Co. to Messrs. Cabot, Bailey and Co.*  
DEAR SIRS, St. Jago de Cuba, December 28, 1824.

We have the pleasure to own yours of the 16th instant, handed by our friend Captain *Williams*, covering sundry Accounts, and account current, shewing a balance against us of 17,134  $\frac{51}{100}$  Dollars, (Seventeen Thousand One Hundred and Thirty-four  $\frac{51}{100}$  Dollars,) all which appears correct, and has been placed full due from 1st to 10th of June next.

We herewith enclose you the *Counter-Bond* for the *Zee Bloem*.

Referring to and confirming our respects of the 24th and 27th, presented by Captain *Goldwaith*,

We are, &c.

For L. DUTOCQ and Co.  
Messrs. Cabot, Bailey, and Co. St. Thomas. AUG. NUIRY.

(Enclosure 10.)—*Counter-Bond for the Schooner, Zee Bloem.*  
St. Jago de Cuba, December 24, 1824.

WE acknowledge to be indebted to Messrs. Cabot, Bailey, and Co., in the sum of Sixteen Hundred Dollars currency of the Island of *Eustatius*, which we oblige ourselves to pay to them, or their order, for value received.

The condition of the above obligation is such, That whereas Nathaniel Mussenden, of St. Eustatius, has entered into bond to the Government of St. Eustatius in the like sum of Sixteen Hundred Dol-



lars, payable to the said Government in case the *Dutch* Schooner, *Zee Bloem*, of 177 tons, commanded, or to be commanded, by *John Goldwaith*, should, at any time, under the Flag of *The Netherlands*, be found employed in the Traffic of Slaves. Now, should it happen that the said *Nathaniel Mussenden* be caused to pay bond to the said Government, then this obligation to stand in full force against us, otherwise to be null and avoid.

L. DUTOCQ and Co.

(*Enclosure 11.*)—*Passport of the Schooner, Zee Bloem.*—(*Translation.*)

By *William Augustus Von Spengler*, Colonel and Captain in the Navy, in the service of His Majesty The King of The Netherlands, Governor of the Islands of St. Eustatius, St. Martin's, and Saba, and Commander-in-Chief of His Majesty's Land and Sea Forces, stationed at those Places, &c. &c. &c.

The much respected Mr. *Nathaniel Mussenden*, a Citizen and Inhabitant, as well as a Member of the Council of Police of this Place, having represented to us that a Schooner has been purchased on his account at St. Jago de Cuba, called the *Flower of the Sea*, measuring 170 American tons, and carrying 3 large guns and 24 small arms; and having also, under these circumstances, requested that he may be furnished with a provisional Sea Pass for the said Vessel, now his property, in order to enable him to have her brought over here in safety under the *Dutch* Flag :

We do therefore, by these presents, permit the Skipper, *John Goldwaith*, who has been appointed by Mr. *Nathaniel Mussenden* to that effect, to bring over from St. Jago de Cuba to this Port the said Schooner, *Flower of the Sea*, under the *Dutch* Flag, in ballast, and with a Crew of 17 men, observing that the present Passport is only valid for three weeks and no more.

Given under our Hand at the Government-house at St. Eustatius, the 11th of December, 1824, in the Twelfth Year of His Majesty's Reign.

W. A. VAN SPENGLER.

By Command of His Excellency.

M. H. CRUGER,

Governor's Secretary for the time being.

(*Enclosure 12.*)—*Messrs. Wright & Shelton to Messrs. Cabot, Bailey & Co.*  
GENTLEMEN, *St. Jago de Cuba, December 28, 1824.*

AT the desire of our friends, *Messrs. Lewis Dutocq and Co.*, we hereby offer you our guarantee for the extent of their letter of credit, bearing date the 24th instant, in favour of Captain J. Goldwaith, say for 12,000 Dollars, (Twelve Thousand Dollars.)

We are, &c.

*Messrs. Cabot, Bailey, and Co.*

WRIGHT and SHELTON

(Enclosure 13.)—*L. Dutocq and Co. to Captain J. Goldwaith.*

SIR, *St. Jago de Cuba, December 30, 1824.*

THE Instructions of your owner are received, by which we are directed to advise your proceeding at once in the *Zee Bloem* for St. Eustatia, to touch at St. Thomas, where probably further Instructions may be for your government.

Wishing you a prosperous voyage,

We are, &c.

*Captain J. Goldwaith.*

L. DUTOCQ and Co.

(Enclosure 14.)—*L. Dutocq and Co. to David N. Ogden.*

DEAR SIR, *St. Jago de Cuba, December 30, 1824.*

WE are just in possession of your's, bearing date the 18th instant, and observe the several points affecting our dependencies under your charge. The proposition made by Messrs. Segond must be accepted, if no better can be had from them. Use, therefore, your best exertions to obtain, if possible, more favourable conditions; but, failing therein, close with them at once on the terms proposed.

In our verbal communications we so fully explained to you our ideas on the subject of your mission, that we conceive it useless now to repeat them. You must be well aware of the points that can be pressed with the most advantage, and we rely on your making the most of them.

You will have noticed that the terms proposed are not so favourable as those enjoyed by the other party interested, inasmuch as it is upwards of six months since their settlement was received, which gives an advantage of that time on the whole amount of their interest, whereas a difference of only three months on one-third is offered to us.

Bear also in mind the time that must necessarily transpire from their tender of the conditions until your acceptance of them, which they will, of course, make allowance for in the term of the bills; and, observe, that much advantage will accrue in their negotiation, by having the sight of the bills shortened as much as possible.

We wish you to remit the drafts as soon as practicable, by several conveyances to our friends, Messrs. G. G. and S. Howland, of New York, to be by them placed in account with Messrs. Wright and Shelton.

Hoping to have early advice of your success, enclosing their business,

We are, &c.

L. DUTOCQ and Co.

*David N. Ogden, Esq., Point à Petre, Guadaloupe.*

(Enclosure 15.)—*Depositions relative to the Schooner, Flor del Mar.*

ON the 3d January, 1825, at four o'clock in the afternoon, while at anchor in the Port of Guatanamo, Island of Cuba, before the Captains

of the National Privateers, *Fumante*, (a Brig,) and *Zulmé*, (a Schooner,) belonging to the Port of Carthage, personally appeared the under-mentioned Deponents, belonging to the Schooner, "*Flor del Mar*," armed with 3 guns, 24 muskets, and a Crew of 17 men, and proceeding from St. Jago de Cuba; who made the following depositions, conformably to the 15th Article of the Instructions for the Privateers of the Republic of *Columbia*.

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1st. *John Golwitch*, an American, Master of the Schooner, "*Flor del Mar*," states, that said Vessel is from Cuba, bound to St. Thomas.

That he is sailing in the said Schooner under *Dutch* Papers.

That she is in ballast.

That the Schooner was built at Baltimore, in The United States of America, and is the property of Mr. John Martin, an inhabitant of St. Eustatius, one of the Windward Islands.

That the Vessel was purchased two months ago at St. Jago de Cuba, by the *Spaniard*, *Louis Dutocq*, a Merchant of the said City, on account of the said John Martin, of St. Eustatius.

That the Schooner "*Flor del Mar*," entered two months ago, into the Port of St. Jago de Cuba, under the *Spanish* Flag, (but without any Document whatever, or Papers of any Nation,) proceeding from the Coast of Africa, with a Cargo of New Negroes, and that close to the said Port of St. Jago de Cuba, she was attacked and plundered by Pirates, who took away not only her Cargo, but also the Papers under which she sailed; and the Deponent further states that he does not know of what Nation they were.

That when the Schooner was attacked and plundered by the Pirates, she belonged in part to Mr. Louis Dutocq, and the remainder of her was the property of a Company of Merchants, of whose place of residence Deponent is ignorant.

That the Schooner left St. Jago de Cuba on the 2d of January instant, and was despatched altogether by Mr. Louis Dutocq; Deponent having seen no other person interfere there with the management of her concerns, save the said Dutocq, from whom he received his Instructions.

That when the Vessel entered the Port of St. Jago de Cuba, under the Flag and circumstances before-mentioned, Deponent had been a little more than four months in the Island of Cuba.

That he (Deponent) had never lived more than five months in a Dutch Country; That he is a Dutch Citizen, but does not possess, neither did he ever possess, any Document of Dutch naturalization.

That he has not in his possession any Document to prove that the Schooner is *Dutch* property, save and except the Dutch Passport, which he exhibited or delivered up.

JUAN GOLWITCH, Captain.

*Lloyd B. Hopkins*, a Citizen of The United States of America, Second Captain of the Schooner, *Flor del Mar*, states that the Vessel is sailing under the *Dutch* Flag, and that he does not know whether there be on board any other Papers or Flag. That he does not know of what build she is, or where she was built.

That he does not know who purchased the said Schooner in Cuba, or even whether she was ever sold there. That he has no knowledge of any other Owner of the Schooner, *Flor del Mar*, except Mr. Louis Dutocq, by whom she was despatched from the Port of St. Jago de Cuba, and who had the whole management of her fitting out. That he (Deponent) was never naturalized a Dutchman, but always maintained his title of Anglo-American; and that he was born at Hertford in Maryland, in The United States of America. That the Schooner is in ballast, armed with 3 Guns and 24 muskets, Powder, and the necessary Shot, &c. for their use.

That it was only three days since that he embarked on board of the Schooner, in the capacity of Second Captain, and that he has only known her ten days.

LLOYD B. HOPKINS.

*Pablo Jorge*s, a Greek, and Boatswain of the Schooner, *Flor del Mar*, states that he does not know what Flag the Vessel was under in the Port, or what Flag she made use of before, having only belonged to her six days; that at sea they used the *Dutch* Flag, and that on leaving the Port they hoisted the same; that they only left Cuba two days ago; that he is not a Dutch Citizen, neither was he ever naturalized as one, or as a Citizen of any other Nation; that he has traded to and resided in the Island of Cuba for two years, under the *Spanish* Flag; and that seven months ago he (Deponent) commanded a Sloop under Spanish Colours, despatched from Cuba to the Coast; that he has no knowledge of the legitimate Owner of the Schooner.

For PABLO JORGES, who cannot write,

E. MORULLIER, Clerk of the Schooner, ZULME.

*Nine Individuals*, composing part of the Seamen of the Schooner, *Flor del Mar*, being then brought before the Commanders of the two National Privateers before mentioned, deposed as follows:

They stated their Names to be *Jose Burgon*, a Spaniard, born at Bilboa, &c. (here follow the names and description of all the parties.)

To the first interrogatory they depose that they do not know the nature of the Papers on board of the *Flor del Mar*.

2nd. That the Schooner was from St. Jago de Cuba, bound to St. Thomas, one of the Windward Islands.

3rd. That the Vessel is in Ballast, but that they neither know where she was built, nor to whom she belongs.



4th. That they sailed from St. Jago de Cuba on Sunday the 2nd of January instant, and that about two hours after leaving the Port, they descried a sail which gave them chase, but that they did not see whether the Captain threw away any Papers overboard, as they (Deponents) were busy a-head, attending to the working of the Vessel. That at ten o'clock in the morning, or thereabout, the strange sail came up with them, and proved to be a Brigantine *Columbian Privateer*, whose name they do not know, but that the Captain's name is *Rafeti de la Margareta*, and that after visiting them, the Privateer allowed them to proceed on, having found no Papers on board, except a *Dutch Pass* or *Passport*. *Jose Burgon*, *Antonio Fernandez*, *Rafael Falion*, and *Manuel Gonzales*, state that they are true *Spaniards*, and belong to no other Nation but Spain, and that they acknowledge Ferdinand the Seventh as their lawful King and Master. The other Seamen declare that they have sailed with almost every Nation.

Signed by the several Parties.

#### Other Declarations.

*Augustus Forguero*, (a Genoese,) *J. B. Hector*, (a Frenchman) *Celestin Delvain*, (a Frenchman,) *John Brown*, (an American,) and *John Bart*, (a Dane,) being then examined, depose that they are from St. Jago de Cuba, bound to St. Thomas. That the Schooner, *Flor del Mar*, is in ballast, but that they do not know under what Papers she sails. That she is American built, but that they do not know to whom she belongs.

That they left St. Jago de Cuba on Sunday, the 2d January instant, and that about two hours afterwards they were chased by a strange sail, when the Captain of the *Flor del Mar*, seeing that she was gaining fast upon them, at about ten o'clock in the morning (*Augustus Forguero* being then at the helm), he, the said Captain of the *Flor del Mar*, emptied or threw overboard a parcel or bundle of Papers to which he had previously fastened a stone, of sufficient weight to sink them to the bottom of the Sea.

That when the *Columbian Privateer* came up with them, (which was a Brigantine, of whose name Deponents are ignorant,) her Captain, one *Rafeti de la Margareta*, overhauled the *Flor del Mar*, and, allowed her to proceed, having found no other Papers or Flag than the *Dutch Pass* or *Passport*, and a *Dutch Flag*.

Signed by the Parties.

On the 4th of January instant, at 10 o'clock in the morning, at anchor in the Port of Guantanamo, before the Officers of the two National *Columbian Privateers* before mentioned (His Britannic Majesty's Cutter, *Grecian*, Lieutenant *John Cawley*, being in company,) appeared the second time, the Master or Captain of the Schooner, *Flor del Mar*, *John Golwitch*, who deposed that he is truly and bona

*fide* Captain of the *Spanish* Schooner, *Flor del Mar*, from St. Jago de Cuba, bound to St. Thomas, one of the Windward Islands, that the said Schooner is actually *Spanish* property, belonging to Mr. Louis Dutocq, an inhabitant and merchant of St. Jago de Cuba, and that she was despatched by the Government of that place with *Spanish* Papers, but that on the morning of the day on which the said Schooner sailed from Cuba, she was chased by a strange Vessel, when he (Deponent) seeing that the chase was gaining fast upon the *Flor del Mar*, and having ascertained her to be a *Columbian* Privateer, determined, in order to save his Vessel, to throw all his *Spanish* Papers overboard, and to avail himself of a *Dutch* Pass or Passport with which he had provided himself beforehand at Cuba, in order to guard against similar accidents. That the Schooner is wholly and truly *Spanish* property belonging to the trade of St. Jago de Cuba.

JUAN GOLWITCH.

I, the Clerk of the National Schooner, *Zulmè*, certify, that this Document contains the Copies of the Declarations made by the Captain, Officers, and Seamen of the Schooner called the *Flor del Mar*, on the days and at the hours mentioned. In witness whereof, I now sign the same on board of the *Zulmè*, the 4th of January, 1825.

HENRIQUE MARRULLIER.

No. 25.—*Mr. Consul Brackenbury to Mr. Secy. Canning. (Rec. Aug. 4.)*  
SIR, *British Consulate, Cadiz, July 6, 1824.*

IT is my painful duty to apprise you, that there are *two* *Spanish* Vessels now fitted out in this Port, in such a manner as to leave no doubt that it is the intention of the Owners to employ them in the Slave Trade.

Facts so notorious to others cannot be unknown to the *Spanish* Authorities here, and the objects of the Owners of these Vessels have been facilitated by the grant of *Licenses* to them to carry guns.

The particulars of the Vessels I have the honour to enclose, with their reputed destinations. *Mr. James Tinto*, the Owner of one of them, has said that if one Vessel out of the four escaped capture, the Proprietors would be well paid by the enterprize: it is believed that *four* more Vessels are about to be taken up here for the same inhuman traffic.

I shall make these facts known to the Earl of Chatham, that His Excellency may communicate them to the Officers of the British Navy touching at Gibraltar, in case any of them should be ordered to the Coast of Africa. I will also address myself to His Excellency Sir W. A'Court.

I have no reason to believe, from the best information which I am

enabled to obtain, that there is any other capital than that of *Spaniards* employed in this odious Expedition.

I have, &c.

*The Right Hon. George Canning.*

J. M. BRACKENBURY.

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(*Enclosure.*)—*Particulars of Two Spanish Vessels fitted out at Cadiz.*

*British Consulate, Cadiz, July 6, 1824,*

SCHOONER, *Bella Dolores*, Don Antonio Guerrero, Master; burden, 170 tons; James Tinto, Owner,—bound to St. Augustin, in the Island of Madagascar.

Brig, *Alerta*, Don Antonio Echeverria, Master; burden, 290 tons; Miguel Azopardo, Owner,—bound to Gibraltar and Havannah.

J. M. BRACKENBURY.

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No. 26.—*Mr. Consul Brackenbury to Mr. Secy. Canning. (Rec. Sept. 10.)*

SIR,

*British Consulate, Cadiz, July 20, 1824.*

IN reference to my Letter of the 6th Instant, forwarded by the Marquis of Salisbury Packet on the 12th, I have the honour to enclose you a Copy of a Letter which I have since addressed to the Earl of Chatham (having previously apprized His Excellency of the sailing of the Spanish Brig, *Alerta*, for Gibraltar), in the which, if I have transgressed the bounds of my Instructions, which confine my official communications to yourself, Sir, to His Majesty's Envoy at Madrid, and to the Consul General in that City, I trust, Sir, that my excuse may be found in the singularity of the facts; in the importance of their being made known without delay to the Governor of a British Settlement, to which a Spanish Owner resorts with his Slave Ship, there to complete his Cargo; in order that if it be possible, His Excellency the Governor of Gibraltar may put a stop to such disgraceful proceedings, may deprive Spanish Slave Dealers from availing themselves of British protection to facilitate their inhuman purposes, and afford to the Officers of His Majesty's Navy such information as may assist them in the capture of such Vessels, should they be ordered from the Mediterranean to the Coast of Africa.

I have hitherto scrupulously endeavoured to confine myself in the discharge of my duties to the line marked out to me in my general Instructions; and if I have erred on the present occasion, by going beyond the limits which you have therein assigned to me, I crave your indulgent interpretation of my conduct, from the knowledge of the earnest desire which His Majesty's Government feels, and which you yourself, Sir, have ever felt, to impede by every possible means the criminal undertakings of those who, in violation of existing Treaties, and in defiance of every Power, seek to enrich themselves by the purchase and sale of their fellow-men.

I have, &c.

*The Right Hon. George Canning.*

J. M. BRACKENBURY.

(Enclosure.)—*Mr. Consul Brackenbury to the Earl of Chatham.*

MY LORD,

*British Consulate, Cadiz, July 17, 1824.*

I HAD the honour to address your Excellency on the 5th and 12th Instant, since which time one of the Spanish Vessels alluded to in my latter Letter, named the *Alerta*, has sailed from this Port, and is now in Gibraltar Bay, taking in such a Cargo as demonstrates too plainly the inhuman trade in which the Owner means to employ her; amongst other things, this Brig has been taking in iron, which has been cut into bars of short lengths, a strong presumptive proof that the investment is for the Coast of Africa.

It is my duty, my Lord, to represent to your Excellency such facts, connected with this disgraceful enterprise, as have come to my knowledge; facts upon which your Excellency might place every reliance, if they were not susceptible of corroboration at the seat of your own Government; namely, that the Spanish Brig, *Alerta*, Antonio Echeverria, Master, is now completing her Cargo for the Coast of Africa, in the Port of Gibraltar; that she is nominally consigned to an English house there, but is virtually under the direction of the Owner, Miguel Azopardo.

As the nominal Consignees are young men of respectability, it is most earnestly to be hoped that they are ignorant of the enormity of their conduct, in suffering themselves to be instrumental to the detestable project of the Owner, by being the purchasers for him in an English Settlement, of the Articles which he wants for the outfit of a Slave Ship, though cloaked by him under false and perhaps plausible pretences: what is however known to me at Cadiz, and to others, ought to be known to the nominal Consignees at Gibraltar; and I conceive, too, that your Excellency should likewise know, that Miguel Azopardo, the Owner of the *Alerta*, is himself at Gibraltar, directing every purchase, and superintending every other preparation of his Brig, the *Alerta*, for a Slave Voyage to the Coast of Africa.

I have, &c.

*H. E. The Earl of Chatham.*

J. M. BRACKENBURY.

No. 27.—*Mr. Consul Brackenbury to Mr. Secy. Canning. (Rec. Sep. 10.)*

SIR,

*British Consulate, Cadiz, July 22, 1824.*

I HAVE the honour to acquaint you that the other Slave Ship, to which I alluded in my Letter of the 6th Instant, namely the Schooner, the *Bella Dolores*, did also go to Gibraltar, as well as the Brig, *Alerta*, referred to in my Letter of the 20th.

As this Vessel was bound to Madagascar by the Coast of Africa, there could be no reason for her going up the Straights, but for the purpose of her taking in something necessary for her voyage; and as such may be the intention likewise of Owners of other Slave Ships, about to be fitted out from this Port, I have done myself the



honour to add this circumstance to those which I stated on the 20th Instant.

I have, &c.

*The Right Hon. George Canning.*

J. M. BRACKENBURY.

No. 28.—*Mr. Consul Brackenbury to Mr. Secy. Canning. (Rec. Aug. 20.)*  
SIR, *British Consulate, Cadiz, July 31, 1824.*

I HAVE the honour to acquaint you, that there is every reason to believe that another Spanish Schooner of 140 tons, called the "*Segunda Gallega*," which is now fitting out in this Port, is intended for the Slave Trade. I have communicated this fact to His Excellency Sir William A'Court.

I have, &c.

*The Right Hon. George Canning.*

J. M. BRACKENBURY.

No. 29.—*Mr. Consul Brackenbury to Mr. Secy. Canning. (Rec. Jan. 19.)*  
SIR, *British Consulate, Cadiz, December 11, 1824.*

I HAVE the honour to enclose you two Newspapers, published in Cadiz on the 5th of May, and on the 17th of September, 1824; the former containing an advertisement for the purchase of two Negroes, male and female, in Cadiz; the latter for the sale of a Negress at Port St. Mary's.

In the former Case I have ascertained that in consequence of the advertisement, a Negress was brought for sale to "The Three Kings," and there sold for two hundred and eight dollars. In the latter Case, the Girl was sold, but for what sum I have not been enabled to learn.

This practice of openly dealing in Slaves within the limits of my Consulate, I consider it my duty to represent to you.

I have the honour to be, &c.

*The Right Hon. George Canning.*

J. M. BRACKENBURY.

(*Enclosure 1.*)—*Extract from the "Diario Mercantil de Cadiz," of May 5, 1824.—(Translation.)*

"A person at the Three Kings' Inn wishes to purchase a Negro and Negress, possessed of good qualities for domestic service."

(*Enclosure 2.*)—*Extract from the "Diario Mercantil de Cadiz," of September 17, 1824.—(Translation.)*

"ON Sale a Negress of upwards of 14 years of age; she is a native of Havannah, can sew well and embroider; is sound, and without any defect whatever. Any person desirous of purchasing her may apply to No. 9, St. Lucy, Broad-street, Port St. Mary's."

No. 30.—*Mr. Secretary Canning to Mr. Consul Brackenbury.*  
SIR, *Foreign Office, March 4, 1825.*

I HAVE received your Letter of the 11th December, 1824, con-

taining advertisements for the *Purchase and Sale of Negroes* at Cadiz and Port St. Mary's

These Cases do not come under any of the circumstances enumerated in Article 5 of the Treaty with Spain, so as to constitute an illegal traffic under the Treaty.

I shall be glad, however, if you will make inquiries whether the existing Laws in Spain sanction, or forbid, or are silent upon, this practice, that I may be the better enabled to judge how far a friendly representation may be made to the Spanish Government upon the example, thus permitted, of the Sale of Slaves in the Mother Country.

Meanwhile, you will be cautious not to notice these transactions without Instructions from hence, and you will consider that you have no right to object to them. I am, &c.

*J. M. Brackenbury, Esq.*

GEORGE CANNING.

## PORTUGAL AND BRAZIL.

### PORTUGAL.

No. 31.—*Mr. Secretary Canning to Sir Edward Thornton.*

SIR,

*Foreign Office, February 25, 1824.*

THE enclosed Copies of Letters, the one from the *Conde de Villa Real*, Portuguese Minister at this Court, the other from *Mr. Bandinel*, will shew to you, that the Portuguese Government have not yet given directions for the discharge of the *Portuguese moiety* of the *contingent expenses* at Sierra Leone, from October, 1822, to July, 1823, and also of the value of certain provisions furnished from His Majesty's magazines at Sierra Leone, to Portuguese Sailors at that Place.

Copies of the Documents which have been presented on the occasion to His Most Faithful Majesty's Minister here, are now forwarded to you. You will be so good as to communicate upon the subject with the Government of His Most Faithful Majesty, and represent to them the great inconvenience which arises from the repeated refusal made on their part to pay these charges, which are small in their amount, and regular in their nature; and which have moreover been advanced by the Agents of the King's Government for that of His Most Faithful Majesty.

I trust that, upon your representation of these circumstances, and on your recalling to the Portuguese Government the many applications which we have already been obliged to make to them on similar occasions, they will feel sensible of the absolute necessity that there should no longer be any demur in the payment of these charges.

I am, &c.

*The Right Hon. Sir E. Thornton.*

GEORGE CANNING.

(Enclosure 1.)—*The Comte de Villa Real to Mr. Secretary Canning.*

*South Audley Street, ce 16 Janvier, 1824.*

LE Comte de Villa Real, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Très Fidèle, a eu l'honneur de recevoir la Note de Son Excellence M. Canning, Principal Secrétaire d'Etat pour les Affaires Etrangères, par laquelle Son Excellence lui demande s'il a reçu des Ordres pour payer au Gouvernement de Sa Majesté Britannique, la somme de £77. 2s. 2½d. valeur de farine et provisions salées, fournies par les magasins de Sa Majesté Britannique, établis à Sierra Leone, à M. *Altavilla* pour le maintien de *Matelots Portugais*.

Le Soussigné s'empresse donc de faire savoir à M. Canning qu'il n'a pas reçu d'ordres à cet effet, et n'a eu jusqu'à ce moment aucune connoissance de ce fait. Il ne manquera pas de le communiquer à sa Cour pour que cette somme soit acquittée, devant toutefois prévenir Son Excellence que M. *Altavilla* est la seule cause du délai qu'il y a eu à cet égard, en conséquence de celui qu'il met, depuis plusieurs mois, de se rendre à Lisbonne, comme il lui a été ordonné pour y régler les comptes des dépenses qu'il dit avoir faites à Sierra Leone.

Le Soussigné profite de cette occasion, &c.

*Sm Excellence M. Canning.*

VILLA REAL.

(Enclosure 2.)—*James Bandinel, Esq. to Joseph Planta, Jun., Esq.*

SIR,

*Foreign Office, January 6, 1824.*

I RECEIVED in the early part of October last, a Bill (of which the enclosed is a Duplicate) for eighty-two pounds, three shillings, and ninepence halfpenny, sterling, drawn on the Portuguese Minister in London, by the Portuguese Commissary Judge at Sierra Leone, in favour of the British Commissioners there, for the Portuguese share of the *Contingencies* of the Commission, from October 5, 1822, to July 5, 1823.

I deposited this Bill, in the usual manner, with my Bankers, that they might proceed in obtaining its acceptance, and its payment, when due; and that I might then credit the Commission Account with the amount of it, according to the wish of the Commissioners, as stated in their Letter.

It will be within your recollection, that this Bill was not accepted, and that you desired that recourse should not be had to the ultimate step of protesting it, unless payment should be refused, at the time when it should become due.

The Bill was, therefore, merely noted at the time, and was presented again on the 1st of January instant, the day on which it fell due, for payment.

Payment of the Bill not being made by the Portuguese Minister, a protest was accordingly entered into, stating the fact.

Former Bills for this service have been received by me, and have, when due, been paid by the Portuguese Minister.

I have the honour to submit to you a statement of these circumstances, that you may have the goodness to take the pleasure of Mr. Secretary Canning, as to the adopting any, and what, further steps for obtaining payment of the Portuguese share, of the expences of the joint Commission Court at Sierra Leone, from October 5, 1822, to July 5, 1823, and that you may honour me with any directions for my guidance on the subject.

I have the honour to be, &c.

*Joseph Planta, Jun. Esq.*

JAMES BANDINEL.

No. 32.—*Sir E. Thornton to Mr. Secretary Canning.*—(Rec. March 15.)  
 Sir, Lisbon, March 5, 1824.

I HAVE had the honour of receiving your Despatch of the 25th February, marked Slave Trade, with its two Enclosures, on the subject of the amount of two Bills, for the sum of One Hundred and Fifty-nine Pounds, Six Shillings, for *supplies* furnished to the Portuguese Government by that of His Majesty at Sierra Leone, and for the discharge of the moiety of the *contingent expences* at Sierra Leone, from October, 1822, to July, 1823.

I will in the course of this day draw up a Note upon this subject, to be presented to the Marquis of Palmella, and shall have the honour to apprise you of the result by a succeeding mail.

I have the honour to be, &c.

*The Right Hon. George Canning.*

EDWARD THORNTON.

No. 33.—*Sir E. Thornton to Mr. Secy. Canning.*—(Rec. March 15.)  
 (Extract.) Lisbon, March 8, 1824.

AFTER I had despatched my preceding number, of the 5th current, I communicated to the Marquis of Palmella, in the usual Ministerial Conference, the substance of your Despatch of the 25th ultimo, in relation to the *two Bills*, promising to address a Note to him on the subject, if he should desire it.

He observed to me, that although the Sum in question was small, and of no account in itself, yet he thought it very hard, taking it in conjunction with all the other *Expences* incident to the Slave Trade Commissions, that in the present state of the relations between Portugal and The Brazils, burdens of this kind should be imposed upon the former, for enterprizes in which the *Portuguese* had no share, and from which they derived not the smallest Interest :

That the whole question of the Illicit Traffic in Slaves, and of the Slave Trade Commissions, affected *Brazilian* Interests alone, and that as the British Government had Agents in Rio de Janeiro, application might with much more propriety be made to that Country for the reimbursement of these charges.

I asked the Marquis of Palmella, half laughingly, whether for so trifling a consideration he would establish the precedent, of considering



the Brazilian Government, independent as well in Interest as in Administration, of that of Portugal; and he answered me, in the same tone, that he would be willing to pay a much larger sum, if we would allow the contrary inference deducible from such an act, to be carried to its utmost extent. But, seriously, he added, if the two Countries had remained in their former state of Sovereignty and of Dependence, the Administration and Treasury of The Brazils would naturally have been charged with these expences, incurred in consequence of their enterprises, or for their sole benefit.

I presume that the present Account will be paid, as soon as the Marquis of Palmella shall have taken the orders of the King.

The Marquis added, that in the present moment, and in the uncertainty of their future relations, he did not wish this Government to agitate any Question in relation to the Slave Trade Commissions: that if there were any one Point which he would almost be willing to except, it would be that of consenting at once to the total Abolition of the Slave Trade, in which Portugal could have no Interest in case of the Independence of The Brazils, and the cessation of which might enable Her to turn Her African Colonies to some other account.

I ought to observe to you, Sir, while I am upon this subject, that I presented some time ago a Note to the Marquis of Palmella, upon the subject of the Portuguese Slave Ship, "*Sinceridade*," detailed in your Despatch (Slave Trade) of the 25th of October, and verbally communicated to him the proposition in your Despatch (Slave Trade) of the 6th November, of the last year, [Class A. Session 1824, No. 4.] that the *expences* of the Commission should be defrayed, in the instances there pointed out, from the *Proceeds* of the condemned Vessels. Although M. de Palmella spoke then, as now, of his repugnance to discuss these Questions at present, he acquiesced in the principle of this proposition, and thought that His Majesty's Government might well act upon it.

On the other Point, although I am promised an answer, I doubt much, whether, under present circumstances, it will be a definitive one.

*The Right Hon. George Canning.*

EDWARD THORNTON.

*No. 34.—Sir E. Thornton to Mr. Secy. Canning,—(Rec. April 4.)*  
*Sir,* *Lisbon, March 15, 1824.*

I ADDRESSED a Note to the Marquis of Palmella, as I had the honour of intimating to you in my preceding Number, on the subject of the *two Bills* from Sierra Leone, of which I have the honour of transmitting a Copy enclosed; and to which I received two or three days ago an answer, a Translation of which is annexed.

As this answer lays the delay of this payment to the neglect of the Commissioner Arbitrator, in rendering his Accounts to the Portuguese Government, which is certainly no sufficient reason towards His Ma-

jesty's Government, I thought it best to notice it in that point of view, and addressed another Letter to him, of which I have the honour likewise of transmitting a Copy.

In a moment's conversation which I had with the Marquis to day, he repeated his observations upon the hardship of being called upon to defray the expences of a Commission for a Country the Sovereignty over which was only marked by these expences; but he said, he would take the King's commands about the payment of the Bills; although he would by no means answer for the continuing to do so in future.

I have the honour to be, &c.

*The Right Hon. George Canning.*

EDWARD THORNTON.

(*Enclosure 1.*)—*Sir E. Thornton to The Marquis of Palmella.*

*Lisbon, March 6, 1824.*

THE Undersigned, &c. has the honour of informing His Excellency the Marquis of Palmella, that by the Packet-boat just arrived, he has received Instructions from his Court to demand from the Portuguese Government the payment of two small Bills (amounting together to the sum of one hundred and fifty-nine pounds six shillings); one of which was for the value of certain *provisions* furnished from the King's Magazines at Sierra Leone to *Portuguese Sailors* at that Place, and the other for the discharge of the Portuguese *moiety* of the *contingent expences* at Sierra Leone, from October 1822, to July, 1823.

Both these Bills have been presented for payment to the Minister of His Most Faithful Majesty in London, the Count de Villa Real, who has declined it on the grounds which the Undersigned had the honour of communicating to His Excellency, verbally, yesterday afternoon.

The Undersigned is instructed to represent to His Excellency the confident hope of his Government, that upon this representation of the present circumstances, and of the various applications which have been made on similar occasions, the Portuguese Government will feel sensible of the absolute necessity of its urgent desire, that there may be no longer any demur in the payment of these charges, and that directions may be given to prevent the necessity of a repetition of these unpleasant reclamations.

The Undersigned has the honour, &c.

*H. E. The Marquis of Palmella.*

EDWARD THORNTON.

(*Enclosure 2.*)—*The Marquis of Palmella to Sir E. Thornton.*—

(*Translation.*)

*Lisbon, March 12, 1824.*

THE Undersigned, &c. acknowledges the receipt of the Note addressed to him by Sir Edward Thornton, &c. under date of the 6th current, claiming payment of the sum of one hundred and fifty-nine pounds six shillings, sterling, for *supplies* furnished out of His Britannic Majesty's Stores at Sierra Leone, to *Portuguese Seamen* landed at

that Place, and for one *moiety* of the *contingent expences* of the Mixed Commission at that Establishment, from October, 1822, to July, 1823.

The above supplies having been furnished at the instance of Joam Jacomo *Altavilla*, at that time Commissioner Arbitrator at Sierra Leone, who has not yet given in his Accounts, the Undersigned regrets being obliged to inform Sir Edward Thornton of his inability, for the present, to return to him a definitive answer upon the subject of this claim, it being indispensably necessary to await the liquidation of the said Accounts, seeing the possibility that the Commissioner may have charged the amount in question to the Royal Treasury, without having actually discharged the same ;—a circumstance which it becomes necessary to ascertain before any further step can be taken upon the subject.

The Undersigned embraces this occasion, &c.

Sir E. Thornton.

MARQUEZ DE PALMELLA.

(Enclosure 3.)—Sir Edward Thornton to The Marquis of Palmella.

SIR,

Lisbon, March 13, 1824.

I HAD the honour of receiving yesterday your Excellency's Note of the same date, in answer to mine, on the subject of the *two Bills* from Sierra Leone ; informing me that they cannot be paid, until Mr. *Altavilla* has liquidated his Accounts, it being possible that this Commissioner may have charged the amount in question to the Royal Treasury, without having actually discharged the same.

I beg to observe to your Excellency that if this Gentleman has drawn for either of these two Accounts upon the Portuguese Treasury, the fact may be immediately ascertained by a reference to any drafts which he may have so drawn, and which the Treasury may have paid.

But, however that fact may be, and however he may have diverted the funds so drawn from their proper destination, it is evident (as your Excellency will observe from the two Documents inclosed, which I had the honour of shewing to you some days ago), that the British Commissioners have only received in satisfaction of these payments, Bills upon England, drawn by the Portuguese Commissioner upon His Most Faithful Majesty's Minister in London, in the same manner as had been done upon other occasions, and that the discharge of these Bills can in no ways depend upon the conduct of the Commissioner in the regulation of his own Accounts ; provided only, that the expences for which these Bills were given, have been really incurred ; for which I trust, the character of the British Commissioners at Sierra Leone, furnishes a sufficient guarantee.

I cannot but hope, therefore, that your Excellency will see the propriety of immediately directing the payment of these Bills, without delaying it to the indefinite period of the settlement of the Portuguese Commissioners' Accounts ; which, I may observe, will be probably de-

layed the longer, in proportion to their irregularity, and to the culpability of his own conduct,

I have the honour, &c.

*The Marquis of Palmella.*

EDWARD THORNTON.

No. 35.—*Sir Edward Thornton to Mr. Secy. Canning.*—(Rec. Apr. 10.)

SIR,

*Lisbon, March 22, 1824.*

I HAVE the honour of transmitting to you the translation of a Letter from the Marquis of Palmella, which I have received since the Despatch of my preceding Number, and by which you will see that orders will be given to the Portuguese Minister in London, to pay the *two Bills* relative to the Board of Commissioners at Sierra Leone.

He expresses at the same time, however, the repugnance of this Government to charge itself with further Expences on account of a Commission, existing for the purposes and for the Interests of the *Brazilians* alone.

I have the honour to be, &c.

*The Right Hon. George Canning.*

EDWARD THORNTON.

(Enclosure) *The Marquis of Palmella to Sir Edward Thornton.*

(Translation.)

SIR,

*Foreign Office, March 20, 1824.*

I HAVE the honour to acknowledge the receipt of your Note of the 13th current, in answer to my Note of the preceding day's date, upon the subject of the *two Bills* of Exchange from *Sierra Leone*.

Joam Jacomo *Altavilla* not having yet reached this Capital, nor, consequently, yet delivered in his Accounts, it has not been possible to ascertain, according to your supposition, whether or not, he has charged the amount of these *Bills* to the Royal Treasury. His Majesty however, unwilling that any further delay or question should take place concerning the payment of so trifling a sum, has been pleased to direct that His Minister in London be ordered to discharge the same.

But it is necessary to declare to you expressly, Sir, that, under existing circumstances, the payment of any further expences, of whatever nature, whether contingent, or for the support of Sailors, incurred by the *Sierra Leone* Commission, can for the future, be sought only in the Treasury of *Rio de Janeiro*, seeing that such expences are incurred for the benefit of the Inhabitants of *Brazil* alone.

I have the honour, &c.

*Sir Edward Thornton.*

MARQUEZ DE PALMELLA.

No. 36.—*Mr. Secretary Canning to Sir Edward Thornton.*

SIR,

*Foreign Office, May 13, 1824.*

YOUR Despatches on the Slave Trade to the 22nd March, have been received, and laid before The King.

I have considered with the attention which they deserve, the im-



portant expressions, which you report the Marquis of Palmella to have used, when urged upon the subject of the trifling expences of the Mixed Commission at Sierra Leone—"that in the uncertainty of the future relations with *Brazil*, he did not wish the Government of *Portugal* to agitate any Questions with respect to the Slave Trade Commissions, but that, if there were any one Point, which he could almost be willing to except, it would be that of consenting at once to the total Abolition of the Slave-Trade, in which *Portugal* could have no interest, in case of the Independence of The *Brazils*, and the cessation of which might enable Her to turn Her Colonies to some other Account."

His Majesty's Government cannot pass by without notice so fair an opening, as is thus presented, for an overture towards the Abolition of the Slave Trade on the part of Portugal; and His Majesty commands me to instruct you to avail yourself of these expressions of the Portuguese Minister, for that purpose.

Portugal has thus unequivocally declared, that She is in no way interested in the continuance of the Slave Trade, and His Majesty is willing to accept any motive as a plea on the part of His Antient Ally, for proceeding in that line of humane policy which every other Nation in *Europe* has already adopted, and which is spreading with rapidity throughout the great Continent of *America*.

Scarcely, however, does a month pass, in which we do not receive distressing proofs of the prevalence of the Slave Trade under the Flag of *Portugal*;—a Trade, at all times an unhappy stain upon that Flag, and now, by the confession of its Government, no longer beneficial to the Portuguese Nation.

I furnish you with an Extract of a Report, drawn up by the late *Sir George Collier*, respecting that Cluster of Islands on the *Western* Coast of *Africa* near the Equator, of which the most considerable are *St. Thomas* and *Princes*; and Copy of a Letter from *Capt. Owen*, upon the state of the *Portuguese* Settlements on the *Eastern* Coast of the same Quarter of the Globe.

Both these Documents give ample proof of the existence of the Slave Trade at those Settlements, where now the Marquess of Palmella seems to anticipate an extinction of that Trade, as a means of rendering the Colonies more serviceable to Portugal.

Recalling to the recollection of the Marquess of Palmella the sentiments declared on this subject by His Most Faithful Majesty's Plenipotentiaries at Vienna, in the year 1815, and expressing the gratification which is felt by His Majesty at the repetition of those sentiments by M. de Palmella on the present occasion,—You will state the readiness of His Majesty's Government to enter into a Negotiation immediately with that of Portugal, for the Abolition of the Slave Trade by the latter Power:—and you will endeavour to obtain a Pro-

jê't of a Treaty from the Marquess of Palmella, which you will transmit without delay to your Government at home, for further consideration.

Earnestly, however, as we desire to have the general Abolition of the Slave Trade sealed by the concurrence of the Crown of Portugal, you must not hold out any expectation, that Parliament would be induced to purchase that concurrence by pecuniary sacrifices.

The Government of His Most Faithful Majesty being now absolved from the duty, which the Interests (or imagined Interests) of Portugal imposed upon them, and admitting, that the cessation of the Slave Trade would inflict no detriment upon Portugal, are, by their own shewing, deprived of any pretence for that basis for the Negotiation.

But, single among Civilized Nations, Portugal, in maintaining a practice no longer necessary or gainful to Her, it may surely be hoped that from the dictates of humanity alone, and in consonance to the universal feeling of Europe, She will seek to purge Herself from a stain at once so gratuitous and so peculiar.

I am, &c.

*The Right Hon. Sir E Thornton.*

GEORGE CANNING.

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(Enclosure 1)—*Report of Commodore Sir George Collier. (Extract.)*

THE *Portuguese* Islands of *Princes* and *St. Thomas* afford extraordinary facilities to Persons engaged in the Slave Trade.

The value of these Islands to *Portugal* as a Kingdom, for general objects of commerce, deserves scarcely name or notice, for the entire produce does not annually load more than two small Brigs with Coffee, the only article of cultivation, with the exception of Cassada or Mani-och, Yams, and other Negro food consumed on the Islands or raised for the supply of Slaving Vessels. These Islands are valuable to Portugal only as she may still chuse to give countenance to the Slave Trade, so essential, as she may suppose, to the well-being of the *Brazils*;—these lost to her, *Princes'* and *St. Thomas'* do not deserve the cost of the Establishments, which Portugal may have on them, small as they are.

The Governments of *The Netherlands* and *Spain*, having by recent Treaties engaged to relinquish the Slave Trade:—to *Portugal* that Trade, North of the Line, may be most effectually subdued by neutralizing the Islands of *St. Thomas* and *Princes*.

The space on the Ocean which the Islands of *Princes* and *St. Thomas* occupy, does not exceed twelve miles East and West—though from the Equator to the Northward, it may be estimated at one hundred miles—as the Rolles or Southern Clusters of Islets lying off *St. Thomas'* though not extending across the Equator, may, at least, be fairly stated as resting upon it. Consequently the facility the situation of these Islands affords to Portuguese Slavers for evading the Treaty, and keeping within its actual limits, is obvious.

The Rocks (for so they may be rather considered than even Islets) though not absolutely and entirely barren, are frequented only by a few Canoes and Fishermen belonging to the Southern District of St. Thomas.

*Bird Island*, the Northern Boundary of Princes' Island, is a small Rock, frequented only by sea birds, its waters abounding with rock fish.

I have thought it proper to notice these several small spots so contiguous to Princes' and St. Thomas' as necessary in any arrangement respecting the latter to embrace the former also.

In circumference Princes' Island measures a line of about thirty-two miles.—St. Thomas' something more.

Both these Islands are very mountainous and of a highly romantic appearance. The mountains are covered with trees and underwood, intersected by numerous bold rills of water forming occasional magnificent cascades.

The sides of some of the lesser mountains and hills are partially cleared of timber, and these spots are dotted with coffee plants and cascada.

The valleys are more generally cleared, consequently more highly cultivated for the production of Slave food, such as Maize, or Indian Corn and Yams.

The climate of the Islands is certainly uncongenial to European constitutions—and the evil is increased by the swampy situations of the principal Towns.

*St. Antonio*, the Capital of Princes' Island is on a flat at the upper extremity of the harbour; the whole of this space is surrounded by high land:—two streams of water run on each side the Town, and empty themselves with several small streamlets into the harbour.

Tropical fevers are not unfrequently generated on this spot, and new comers are likely to suffer by them.

*Princes Island* has two harbours or ports capable of receiving ships of war;—*St. Thomas'* two road-steds, but neither of these is so safe as the harbour of St. Antonio on the eastern side of Princes.'

At the entrance of *Port Antonio* on each side are small Forts upon commanding heights—sufficiently respectable to secure obedience from Merchant Vessels, and with European Garrisons might be made protective of the Port and Town. The line of hill which, on the top, is flat to some extent, and connected with the Northern Battery, promises in my opinion, to be the spot more likely to give the chance of health than any part of the Eastern side of the Island, as houses, if there erected, would be open to the regular sea-breeze and above the effects of the pernicious vapours generated in the valleys.—At present there is one only building here; but that so surrounded by the cocoa nut as to exclude it from the advantages which otherwise might be derived from its situation.

The seat of Government of these Islands is vested in that of *Princes*, the residence of the Officer distinguished by the rank or title of Governor General; and as it affords the best harbour or protection to Shipping, I speak of *Princes* Island principally in all my description or detail.

The population of both Islands is nearly all Black;—the extent of it is so variously stated, and evidently with the intention to mislead, that no reliance can be placed on the reports I received.

Of Europeans, in both these Islands there is only one solitary instance, for of those usually called *Portuguese*, all were, in truth, either Creoles or Natives of The *Brazils*.—Of these however, several were well informed, and not uneducated; but all, in my belief, without exception, from Ferara Gomez the Governor to the lowest Free Black, engaged in Slave Adventures in some way or other.

Of the superior class of Inhabitants both Islands may contain about fifty families and some scores of Creole Priests.

The secondary class of Free Inhabitants (Blacks, or People of Colour) are either accidental Settlers, or families of soldiers dispersed over the few Towns and Villages scattered in the Interior. To these may be added a small number of liberated Slaves and their children, for it is not unusual in these Islands, where no Traffic is considered worth pursuing but that in Slaves, on the approach of death to emancipate one or two domestic Slaves, the Priest satisfying the dying man that he has thus compensated for his past enormities in this Traffic.

Of the Slave Population no correct opinion can be formed.

All Places of Public trust and confidence were filled by Creoles, and these to a man engaged, in some way or other, in the Slave Trade, or in providing food for Slaves brought there from various parts of Africa, until a convenient time should arrive for their removal.

I have gone into detail in my Report of these Islands more than I otherwise should, from the little that is said of them in any publication that I have ever met with:—indeed, but for the purposes to which they have been applied as Depôts for Slaves, the Islands would scarcely ever have received the care or notice of any European Government.

GEORGE R. COLLIER.

[Late Commodore on the Coast of Africa.]

*Knowle Cottage, Exeter, 20th April, 1823.*

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(Enclosure 2.) Captain Owen to J. W. Croker, Esq.

(EXTRACT.) H. M. S. *Leven*, Mosambique, October 9, 1823.

It is my duty to state, for the information of My Lords of the Admiralty, that on this Eastern Coast of Africa the Slave Trade has recently received a new impulse for the supply of *Brazil*. It would appear that this diabolical Commerce is the only one capable of inspiring the *Portuguese* Population with energy and activity. There are, in



this Port, seven Vessels preparing their Cargoes for *Rio de Janeiro*, one of them about 600 Tons, to carry 1200 Slaves. The export of Slaves from this Port cannot be less than 15,000 Annually.

At *Quillimane* 16 Vessels have taken Cargoes within the last year, amounting to 10,000, and the new order of things brought about by the Revolutions in *Portugal* and *Brazil*, has opened the Ports of *Quillimane* and *Inhamban*, to a direct communication with the latter, which enables them to carry on this abominable Traffic more advantageously, and to a greater extent. From *Inhamban* however, the Trade in Slaves is very limited compared with that of *Mosambique* and *Quillimane*, the neighbouring Tribes being very averse to it; nevertheless Wars are excited solely to make Slaves to pay for Merchandise. The same also occurs at *English River* to a still smaller extent, yet sufficiently so to keep the neighbouring Tribes in a ferment and continual state of Warfare; the price of a Slave at *Quillimane*, *Inhamban* and *Delagoa* rarely exceeds two or three Spanish Dollars to the *Portuguese*, who get for them perhaps twenty or thirty from the Vessels: much of their gain is necessarily expended for their intermediate subsistence, which, however, is scarcely enough to hang soul and body together, and the Ships which use this Traffic consider they make an excellent Voyage, if they save one third of the number embarked, to sell at *Rio* for 150 or 200 Spanish Dollars each: some Vessels are so fortunate as to save one half of their Cargo alive, and their gains become a strong motive to more extensive speculations.

The Ships from *Brazil* bear the new Flag of that Country, but the Governor here has forbidden them to enter the Ports of Africa under any other than *Portuguese* Colors. The Vessel I boarded off *Quillimane* was under *Brazil* Colors, and going for a Cargo of Slaves, but I did not interrupt her voyage, having no Instructions on the subject. *Sofola* is the most miserable of all of the Portuguese Establishments, except *Delagoa Bay*, of which I shall forward a rough translation of a manuscript memoir I procured there. I could not even furnish a boat to assist the *Barracouta* whilst aground.

The *Portuguese* merchants are armed with military and arbitrary authority, and strangers who would visit them for trade, are subject to every species of wanton indignity and exaction. In this part of *Mosambique* an English Vessel, even in distress, cannot land any part of her Cargo in deposit, to enable them to repair their Vessel, without paying two and a half per cent, at the value fixed by the Portuguese Authorities; this makes it equal to five per cent. on the value, and if any part of her Cargo be sold, it pays a nominal twenty-five per cent on the value, as fixed by the same Authority, amounting by this artifice to forty or fifty per cent.

*Quillimane* however, solely by its situation, as the Port of an extensive Country, rich in every sort of natural product, is regaining some of its ancient wealth: but the Population consisting but of few Masters

and numerous Slaves, it cannot possibly, under such a regime, ever attain much consequence.

*Inhamban* also, by the effect of one man's paternal policy and industry, is a thriving Colony; he excites the Natives, who are all free, to industry and commerce by his example, his counsel, and careful administration; this is the natural consequence of arbitrary power falling into wise hands. But should the Governor be changed for one who does not see his interest so far, it will fall again into disorder and indigence.

*Mosambique* is at present in a very critical state; the Governor feels it necessary to reside in his Fort; and he has very few men. Its market presents nothing but Slaves for sale, and it is not without great difficulty that provisions or vegetables can be procured, except only rice and shell-fish, on which the native Inhabitants principally subsist; the Merchants are mostly strangers, Moors and Banyans; and the only intelligent Merchant by whom supplies can be readily procured, if attainable, is actually a Warehouseman from the Cape of Good Hope, here raised to wealth, and the first consequence in society. In short the whole Country from *Delagoa* Northwards, presents a most lamentable picture of decay and ruin, by the miserable indolence, and impolicy of its Masters, possessing in itself at the same time all the sources of Population, Health and Prosperity.

For eight days successively there have been, at this place, several shocks of earthquakes; we had two very sensibly felt on board yesterday, at 2 P. M. and another at 2 A. M. which carried me out on deck, supposing it was our chain cable running out of the hawse. It is believed here that these shocks answer to volcanic eruptions in some parts of *Madagascar* or on *Mayotta*.

*J. W. Croker, Esq.*

W. F. W. OWEN, CAPTAIN.

No. 37.—*Mr. Secretary Canning to Sir Edward Thornton.*

SIR,

*Foreign Office, May 28, 1824.*

IN reference to my Despatch to you, marked Slave Trade, of May 13, 1824, I now transmit to you, for your information, the Extract of a Letter from the Governor of *The Mauritius*, together with Copies of the Papers therein alluded to, from which it would appear that the Slave Trade is carrying on to a great extent in the several *Portuguese* Settlements between Cape *Corientes* and *Mosambique* on the *Eastern Coast* of *Africa*.

I am, &c.

*The Right Hon. Ed. Thornton.*

GEORGE CANNING.

(*Enclosure A.*)—*Licut. Gen. Sir Lowry Cole to R. Wilmot Horton, Esq.*  
(Extract.) *December 17, 1823.*

I BEG leave to forward to you the Enclosed Copies of Papers, addressed to me by Captain *Moorsom*, on the subject of the Slave Trade. You will perceive by them that this Traffic is carried on to a great extent in the *Portuguese* Settlement on the African Coast, and that a similar spirit prevails at *Bourbon*.

In the case of the *Soleil*, one of the Vessels alluded to in the Enclosures, having received information from four English Sailors, who had taken passage in her from *Zanzibar* to the *Seychelles*, that she had recently been engaged in the Slave-Trade; and had not very long since landed a Cargo of Slaves at *Bourbon*, I caused M. *Salaum*, the then Captain of the *Soleil*, who had come here from the *Seychelles*, on his way to *Bourbon*, to be arrested, and delivered over to the French Consular Agent—at the same time affording Governor *Freycinet* an opportunity of taking the depositions of the four sailors, above alluded to, whom I sent to *Bourbon*, in the Government Brig, *Wizard*, for this purpose; but, from the tenor of His Excellency's reply to my Communication, I am not at all led to expect that M. *Salaum* will be brought to justice. Indeed I am rather induced to conceive that his (Governor *Freycinet's*) Instructions on this subject, from the French Government, are of a very negative nature. I have thought it right to put you in possession of these particulars, for Lord Bathurst's and your own information.

R. W. Horton, Esq.

E. L. COLE.

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(Enclosure B.)—Captain *Moorsom* to Lieut. Gen. Sir *Lowry Cole*.  
SIR, H. M. S. *Ariadne*, Port Louis, Nov. 17, 1823.

I HAVE the honour to enclose to your Excellency some information respecting French Slave Vessels, which Lieutenant *Maynard* acquired at *Bourbon*, from sources which he considers to entitle it to credit.

Your Excellency will perceive, by the circumstance of *L'Hirondelle's* getting on shore, in her route amongst the dependencies of this Island, and by the statement of the general course pursued by the Slave Vessels through His Majesty's Possessions in these seas, how necessary it is to have Cruizers stationed there. Though the Slaves are destined for *Bourbon*, yet it is not to be doubted that if a fair price were offered, they would be disposed of willingly by the French, at any of those Islands where they stop to refresh; and the impression I have is, that the Slaves so continually transferred hither from *Seychelles*, have been carried thither by French Vessels, more commonly than by our own; or, what amounts to the same thing, that the new Slaves remain at *Seychelles* while the old are sent hither.

*L'Hirondelle*, I am assured, left some of her Cargo at the Isle *Daros*. The *Walter Farquhar*, I have reason to believe, is now the property of a resident of *Bourbon*.

I have the honour to be, &c.

C. R. MOORSOM.

H. E. Lieut. Gen. The Hon. Sir E. Lowry Cole.

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(Enclosure C.)—Report of Lieut. *Maynard*, respecting Slave Vessels.

ON the 8th of November, 1823, fifteen thousand Spanish dollars

were embarked at *Bourbon*, with the Charterer, *M. Moncouet*, in a small vessel, for the purpose of being put on board the *Soleil*, a fine French Brig, mounting ten 12 pounders, and a complement of thirty-six men; which vessel was supposed to be at *Madagascar*, in the neighbourhood of *Tintingue* or *Antougil* Bay. It is positively known that her destination is *Mozambique*, and that she will return to the Southward with her Cargo of Slaves, the beginning of January or thereabouts.

About the latter end of October, the *Soleil* was at anchor between the Ports of *St. Denis* and *St. Paul's*, Isle of *Bourbon*, when the *Sylphe* (French Man-of-War Schooner) ran down and fired into her, upon which the *Soleil* cut her cable, and escaped by superior sailing.

There is also a fine fast-sailing Ketch, and another Vessel, under French Colours, in one of the rivers or bays close to *Cape Delgado*, to the Northward, procuring Slaves. The whole expedition is under the command of one man, and may be expected to sail in about a month, taking advantage of the Northerly monsoon to come down the *Mozambique* Channel.

There is a perfectly new Schooner, of about 100 tons burthen, under French Colours, fitting out at *St. Denis*, for a Slaving Voyage, and will sail in about three weeks—is sharp-built aft, and has the appearance of a fast sailer.

Another French Schooner will sail from *St. Denis* in a few days, being perfectly ready, and will probably procure her Slaves at *Tamatave* or *Tintingue*, *Madagascar*. She appears to be about 80 tons burthen.

The *Tippoo Saib*, a fine French Brig of 220 tons, is laying in the Roadstead of *St. Denis*, in treaty for freight, to bring Slaves; her Owners require 20,000 dollars, Spanish, and it will take more than that sum to load her. She will be well armed, and is reported to be a fast sailer.

The *Hirondelle*, French Schooner, Owner, *M. Le Brec*, landed 168 Slaves about the 12th of October, between the Ports of *St. Denis* and *St. Paul's*, and was undergoing considerable repair at *St. Paul's*, preparatory to another Voyage, having been on shore on one of the shoals in the neighbourhood of *Alphonse*, one of the Islands forming the *Amirantes*. She was with considerable difficulty got off, and reached the Island of *Daros*, remained there 28 days to repair, and refresh her Slaves. She had Arab Papers and Colours on board, and intended to have made use of them in the event of falling in with any of the English Cruizers.

Almost all Slave Vessels, during the Southerly monsoon, touch at some of the *Amirantes*, and afterwards pass to the Northward of *Cargados*.

The *Hirondelle* is only 90 tons burthen, and does not sail well.



(Enclosure D.)—*Captain Moorsom to Lieut. Gen. Sir Lowry Cole.*  
(Extract.) *H. M. S. Ariadne, Port Louis, 1st Dec. 1823.*

I HAVE the honour to send your Excellency the substance of some information relative to the Slave Trade, communicated to me by Mr. *Maynard*, late Supercargo of the Brig *Eclipse*, who being wrecked in that Vessel, near *Sofala*, passed several months in the *Portuguese Possessions* on the East Coast of *Africa*.

Regarding the Slave-Trade on the *East Coast of Africa*, it appears that it is carried on to a considerable extent under the *Portuguese* Flag. At *Quillimane*, in the months of July and August last, ten or more large Vessels were expected from *Rio de Janeiro*, with general Cargoes, such as iron, ironmongery, cutlery, spirits, woollens, and printed cottons, earthen and glass ware of all descriptions. This Traffic appears to occupy a considerable time, as these Ships do not sail again before the months of November and December; their several Cargoes have been estimated at from 500 to 700 Slaves each. There is also a Coasting Trade of some extent in Slaves, ivory, specie, from the different *Portuguese* Settlements between Cape *Corientes* and *Mozambique*, where they also look for annual visitors from The *Brazils*; in the month of June (which was an early period) a Ship and a Brig had arrived, with Cargoes of Merchandize, for the purpose of making their returns in Slaves. These two Vessels would carry upwards of one thousand.

There are numerous Dows, under the *Arab* and *Madagascar* Flag, trading between *Zanzibar*, *Majunga*, and *Mozambique*, whose voyages are somewhat of this description. From *Zanzibar*, with the North-Easterly Monsoon, they bring to *Mozambique* Cargoes of grain, piece goods, and sundries; from whence they cross to the Coast of *Madagascar*, returning with cattle, rice, ebony, &c., and in the change of the Monsoon are said to proceed Eastward, with their Returns in Slaves and Ivory.

C. R. MOORSOM.

*H. E. Lieut. Gen. The Hon. Sir E. Lowry Cole.*

No. 38.—*Sir E. Thornton to Mr. Secy. Canning.*—(Rec. June 29.)

SIR,

*Lisbon, June 18, 1824.*

I TOOK the earliest opportunity which the late occurrences have permitted me, with any chance of being attended to, to communicate to the Marquess of *Palmella* the substance of your Despatch, marked Slave Trade, of the 13th Ult., and to express the readiness of His Majesty's Government to enter into a Negotiation for the Abolition of the Slave-Trade, in conformity to the opening which was given to His Majesty's Government by the language of the Marquess of *Palmella*.

It could not but be obvious to him, on the first intimation to this effect, that his language was applicable to the Case of the Indepen-

dence of The *Brazils*; and he observed, that to entertain and carry into effect such a Negotiation, would be a virtual acknowledgment of the Independence of that Country. He added, likewise, that such an act might well be regarded by the *Brazilian* Negotiators in London as an act of hostility, when Negotiations were opening for an understanding with that Country; and in that point of view would be injurious to them.

The Marquess, however, proposed to me to address a Letter to him on the subject, to which he would give an Answer; and I collected from him, that he would have no objection to seeing the two Negotiations proceed simultaneously.

In consequence of this intimation I addressed a Letter to him, on the 15th current, of which I have the honour of transmitting to you a Copy; and I trust His Majesty's Government will be pleased to approve of the language which I have used on this occasion.

I have the honour to be, &c.

*The Right Hon. George Canning.*

EDWARD THORNTON.

(*Enclosure.*)—*Sir Edward Thornton to The Marquis of Palmella.*

SIR,

*Lisbon, June 15, 1824.*

IN a conversation which I had the honour of holding with your Excellency on the 5th of March last, at the usual Ministerial Conference, on the subject of some *Expences* connected with the African Slave-Trade Commissions, it may be within your recollection that your Excellency addressed to me in substance the following observation:—  
 “That in the present uncertainty of the future relations between *Portugal* and The *Brazils*, it was not wished to agitate any question in relation to the Slave-Trade Commissions; that if there were any one point which your Excellency would be almost willing to except, it would be that of consenting at once to the total Abolition of the Slave-Trade, in which *Portugal* could have no interest in case of the Independence of The *Brazils*, and the cessation of which might enable her to turn her African Colonies to some other account.”

I could not fail to communicate to His Majesty's Government, observations thus made by your Excellency, so important to the great cause of humanity, and so honourable to the Government of His Most Faithful Majesty, which thus renewed the Declaration already announced at the Congress of Vienna, that it was actuated by the same generous sentiments against this odious Traffic, as were now common to the whole Civilized World; and that if it had hitherto acted upon them but partially, it was from the same regard to the interests, or imagined interests, of a part of His Majesty's subjects, as had so long retarded the accomplishment of this great work of justice and of humanity in every other European Nation possessing Colonies, and engaged on their account in the Traffic of Slaves.

His Majesty has seen with the highest interest and gratification the repetition of those sentiments, and I have received directions to state the readiness of His Majesty's Government to enter into a Negotiation immediately with that of Portugal for the Abolition of the Slave-Trade by the latter Power.

It would be a great gratification personally to me, if your Excellency were enabled to communicate to me the *Projet* of a Treaty on this most interesting subject; and I should regard it as one of the most auspicious circumstances of my life to have my name united with that of your Excellency in the consummation of this great work

I have the honour to be, &c.

H. E. *The Marquis of Palmella.*

EDWARD THORNTON.

No. 39.—*Sir E. Thornton to Mr. Secy. Canning.*—(Rec. Oct. 2.)  
 SIR, *Lisbon, September 17, 1824.*

HAVING requested some time ago of the Marquis of Palmella to give me answers upon all the points on which I had addressed him in the course of my service (which remained unanswered) and particularly on my Letter of the 15th of June last, this Minister addressed to me a day or two ago a Note, of which I have the honour of transmitting a Translation. You will see that he declines for the present to offer a *Projet*, or to enter into any Negotiation, for the Abolition of the Slave-Trade,

I have the honour to be, &c.

*The Right Hon. George Canning.*

EDWARD THORNTON.

(*Enclosure.*)—*The Marquis of Palmella to Sir Edward Thornton.*  
 (Translation.)

SIR, *Foreign Office, September 14, 1824.*

ALTHOUGH the dispositions of His Majesty's Government in respect to the abstract measure of the Abolition of the Slave Trade, (which I have already made known to your Excellency) have not in any degree varied, yet I must state in answer to the Letter which your Excellency did me the honour to address to me under date of the 15th of last June, that at the present moment, and in the state of disturbance in which *Brazil* now is, the Abolition of the Traffic would be ill-timed: in addition to which it would have a bad appearance, if both the Contracting Parties were to discuss in such circumstances so important an affair, and which affects the Interests of *Brazil* alone.

The unhappy schism, which exists between the two parts of the *Portuguese* Monarchy, preventing every improvement in *Brazil*, retards of course the measure of the Abolition, which could only be effected by the gradual introduction of such measures and dispositions, as would prevent its having bad consequences for His Majesty's Subjects in those Dominions.

In the hopes of better times enabling the King my Master to fulfil the generous intentions which He has already so often manifested,

I have the honour to be, &c.

H. E. Sir E. Thornton.

THE MARQUIS OF PALMELLA.

No. 40.—*Mr. Secretary Canning to Sir W. à Court.*

SIR,

*Foreign Office, November 19, 1824.*

I HEREWITH transmit to your Excellency, for your information, a Copy of the Papers marked A. and B. relative to the Slave-Trade, which were presented to both Houses of Parliament by His Majesty's command, in the course of the last Session.

I am, &c.

*The Right Hon. Sir W. à Court.*

GEORGE CANNING.

No. 41.—*Joseph Planta, Jun. Esq. to Sir W. à Court.*

SIR,

*Foreign Office, November 20, 1824.*

I AM directed by Mr. Secretary Canning to send to you, for your information, a Copy of the Act recently passed for amending and consolidating the Laws relating to the Abolition of the Slave Trade.

I am, &c.

*The Right Hon. Sir W. à Court.*

JOSEPH PLANTA, JUN.

No. 42.—*Mr. Consul Matthews to Joseph Planta, Jun. Esq.—*  
(*Rec. Dec. 27.*)

SIR,

*Lisbon, December 15, 1824.*

I BEG leave to acknowledge the receipt of the Letter you did me the honour to direct to me on the 20th November ultimo, enclosing a Copy of the Act recently passed for amending and consolidating the Laws relating to the Abolition of the Slave Trade.

I have the honour to be, &c.

*Joseph Planta, Jun. Esq.*

R. MATTHEWS.

No. 43.—*Mr. Consul-General Read to Lord Howard de Walden.*  
(*Rec. Feb. 19.*)

MY LORD,

*St. Michael's, January 28, 1825.*

I AM to acknowledge the receipt of Mr. Planta's Letter of date the 20th of November last, transmitting me a Copy of the Act of Parliament recently passed for amending and consolidating the Laws relative to the Abolition of the Slave Trade; and I have to request that your Lordship will be pleased to direct that three more Copies of the same be forwarded to me, to distribute to the respective Vice-Consuls in these Islands.

I have the honour to be, &c.

*Lord Howard de Walden.*

W. HARDING READ.



## BRAZIL.

No. 44.—*Mr. Consul-General Chamberlain to Mr. Secretary Canning.*—  
(*Rec. June 10.*)

SIR,

*Rio de Janeiro, March 13, 1824.*

IN fulfilment of the Instructions contained in your Despatch of the Slave Trade Series, dated the 25th of October, 1823, received here early in January, I addressed a Representation to this Government upon the subject of the *false mode of measuring* Slave Vessels, practised at *Bahia*, by which they are able to obtain Royal Passports to ship a greater number of Negroes than they ought to carry according to their real Tonnage.

I beg leave to enclose a Copy of this Representation, and of the comparative Statement by which it was accompanied, and to add that it has not as yet drawn forth any answer.

I have the honour to be, &c.

H. CHAMBERLAIN.

*The Right Hon. George Canning.*

(*Enclosure A.*)—*Mr. Consul-Gen. Chamberlain to M. de Carvalho e Mello.*  
M. LE COMMANDEUR, *Rio de Janeiro, January 26, 1824.*

FROM a very circumstantial Report of the British Commissary Judge of the Mixed Commission, established in Sierra Leone, addressed to his Government, under date of the 8th of June of last year, it appears that that Tribunal has lately taken notice of a custom among the owners of *Brazilian* Ships, employed legally in the Slave Trade, to rate these Ships at a greater bulk for this commerce than they in fact possess:—whence it follows that they are authorized to load a greater number of these unhappy Beings than they ought to carry, and that they claim greater indemnification than they are entitled to, in case of detention, without sufficient motive, by the Cruizers employed to check this illicit Traffic on the Coast.

Four *Portuguese, or Brazilian*, Ships adjudged lately by that Court of Mixed Commission, formed a bulk, according to Certificates for the payment of the contributions for the "*Faroës*," of 446½ Tons; which would have entitled them to load 1106 Slaves; but the Certificates and Passports for the Trade found on board these said Ships, make the quantity of their Tonnage amount to 672, and authorise them to take on board 1677 Slaves.

This proves an excess of 225½ on 446½ Tons, and of 561 on 1106 Slaves!

The comparative Statement, which I have the honour to transmit enclosed to your Excellency, will enable you to perceive the details of this difference, which appears inexplicable, but which is proved, as to

the first of the Ships, the "*Nova Sorte*," by Four Copies of Certificates, countersigned by the Commissary Judge and by myself; and having been measured it was found to have nearly the number of Tons certified for the payment of the contributions for the *Faroës*.

Since the number of Negroes which a Ship is permitted to load is regulated according to its bulk, the usage which I have just had the honour to mention to your Excellency, if not put a stop to by a subsequent investigation, is subversive of the benevolent intentions of *Brazil* towards humanity, and tends to evade the stipulations of the Treaty with Great Britain.

The acknowledged liberal ideas of the Brazilian Government on this subject, leave no room to doubt that, on the knowledge of the facts, announced in this Letter and the accompanying Documents, it will take immediate measures to prevent the evil complained of.

I avail myself, &c.

*H. E. The Commr. De Carvalho e Mello.* H. CHAMBERLAIN.

(Enclosure B.)

COMPARATIVE STATEMENT of the Tonnage and number of Slaves allowed to be taken on board, according to the admeasurement of the Arsenal; and the *bona fide* Tonnage for payment of Light Dues, with the number of Slaves that ought to be allowed to be received on board according to this admeasurement; also distinguishing the difference in both Cases.

NAMES OF VESSELS.	Tonnage as per Certi- cate of Admea- sure- ment by Arsenal	Ton- nage as stated in the Royal Pass.	Number of Slaves authori- zed to be loaded accord- ing to this Ton- nage.	Tonnage as per Certi- cate for pay- ment of Light Dues.	Number of Slaves authori- zed to be loaded accord- ing to this Ton- nage.	Difference.		REMARKS.
						Of Tonnage	Of Slaves	
<i>Nova Sorte</i> - -	141½	141½	353	84½	211	57½	142	{ Measured in the English mode, and found to contain 83 1-6th Tons. Had on board when detained } 336 Slaves 296 Excess . 41
<i>Conceição</i> - -	167½	167½	417	108	270	59½	147	
<i>Lisboa</i> - - -	118½	118½	295*	92	230	26½	65	
<i>Commerciante</i>	245	245	612	162	395	83	207	
	672	672	1677	446½	1106	225½	561	

No. 45.—*Mr. Consul-General Chamberlain to Mr. Secretary Canning.*—  
(Rec. June 17.)

SIR,

*Rio de Janeiro, March 31, 1824.*

I HAVE the honour to transmit for your information, Copies of Returns received from Mr. Vice Consul *Follett*, of the number of Slaves imported into, and exported from *Bahia*, during the year 1823.

As the *Zefiro*, *João Neri da Silva*, Master, which was boarded in the month of September off *Whydah*, by His Majesty's Ship, *Driver*, has put into *Bahia* with a cargo of Slaves, instead of returning here;

I have this day written to Mr. Vice Consul *Follett* a Letter, of which I take the liberty to send a Copy enclosed.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. CHAMBERLAIN.

(*Enclosure 1.*)—RETURN of the number of Slaves imported into *Bahia* from 1st January to 31st December, 1823.

Date of Arrival.	Description of Vessel.	Name of Vessel.	Whence.	Number of Negroes			OBSERVATIONS.
				Em-bark-ed.	Died.	Land-ed.	
Jan. 29	Ship - -	<i>Tamega</i> - - -	<i>Cabinda</i> - -	613	16	597	The greater portion of these Slaves are supposed to be imported from those parts of Africa prohibited by the Treaty.
Feb. 10	Schooner	<i>Zefiro</i> - - -	<i>Molembo</i> - -	286	"	286	
" "	Ship - -	<i>Belizario</i> - -	<i>Mosambique</i>	300	"	*300	
April 7	Brig - -	<i>Vencedor</i> - -	<i>Molembo</i> - -	265	"	264	
Sept. 3	Schooner	<i>Estrella</i> - - -	Do. - - -	154	"	154	
Dec. 13	Brig - -	<i>Zephirot</i> - -	Do. - - -	299	"	299	
" 16	Do. - -	<i>Maria da Gloria</i>	Do. - - -	378	"	378	
" 23	Do. - -	<i>Vencedor</i> - -	Do. - - -	394	"	394	
Total.				2689	17	2672	

WM. FOLLETT, Vice-Consul.

\* The Ship *Belizario* was bound to *Rio de Janeiro*, but the Blacks rose and killed the Master and part of the Crew. The Frigate "Constitution" met her at Sea and brought her into this Port.  
† This is the Vessel to which *Enclosure No. 3*, sent herewith, relates.

H. C.

(*Enclosure 2.*)—RETURN of the number of Slaves exported from *Bahia*, from 1st January to the 31st December 1823.

Date of Departure.	Description of Vessel.	Name of Vessel.	Where bound.	Number of Negroes	Nation.
Feb. 7	Ship - -	<i>Tamega</i> - - -	<i>Maranhao</i> - -	595	Portuguese.
March 9	Do. - -	<i>Camillus</i> - - -	Do.* - - -	496	Dutch.
April 11	Brig - -	Name unknown - -	<i>Rio de Janeiro</i>	140	<i>Buenos Ayres.</i>
June 19	Do. - -	<i>Vencedor</i> - - -	<i>Maranhao</i> - -	340	Portuguese.
Sept. 21	Smack - -	<i>Flor de Fé</i> - - -	<i>Rio Grande</i> - -	195	Brazilian.
" 22	Do. - -	<i>Afra</i> - - -	<i>Porto Alegre</i> -	16	Do.
" 27	Do. - -	<i>Bom Successo</i> - -	<i>Cotinguiba</i> - -	6	Do.
" "	Brig - -	<i>Jupiter</i> - - -	<i>Rio de Janeiro</i>	32	Do.
Oct. 1	Smack - -	<i>Gertrudes</i> - - -	Do. - - -	22	Do.
" "	Brig - -	<i>Ziberio</i> - - -	Do. - - -	23	Do.
" 5	Smack - -	<i>San Manoel Brasileiro</i>	<i>Rio Grande</i> - -	23	Do.
" 9	Schooner -	<i>Florinda</i> - - -	Do. - - -	3	Do.
" 17	Brig - -	<i>Josephine</i> - - -	<i>Buenos Ayres</i>	22	French.
" 23	Smack - -	<i>Andorinha</i> - - -	<i>Rio Grande</i> - -	5	Brazilian.
" 24	Do. - -	<i>Caipira de Macao</i> -	<i>Cotinguiba</i> - -	5	Do.
Total - -				1,863	

WM. FOLLETT, Vice Consul.

\* This Vessel arrived at *Rio de Janeiro* direct from *Bahia*.

(Enclosure 3.)—*Mr. Consul Gen. Chamberlain to Mr. Vice-Consul Follett.*  
SIR, *Rio de Janeiro, March 31, 1824.*

I PERCEIVE by your last Return of Slaves imported into *Bahia* that the *Brazilian* Brig, *Zephiro*, Joao Neri da Silva, Master, had arrived from *Molembo*, on the 13th December, with a cargo of 299 Negroes.

A *Brazilian* Brig called the *Zephiro*, Joao Neri da Silva, Master, was boarded on the 3d September by the Boats of His Majesty's Ship, *Driver*, near a Place called *Whydah*, considerably to the North of the Line; the Master of which stated that he had sailed from *Rio de Janeiro* in July, and gave as a reason for his being found on that Coast, that the Ship had been driven from her intended Port by contrary winds. The *Zephiro*, Joao Neri da Silva, Master, appears by the *Diario do Governo* to have sailed, in fact, from hence on the 11th July last, with a Royal Licence to trade to *Molembo*; and as she has not returned to this Port, and was found, as before mentioned, on the 3d of September, so far to the North of the Line, there is sufficient reason for suspecting that she has been engaged in the illicit Trade. I have therefore to request, that you will take the trouble to ascertain, by any means in your power, where the *Zephiro* which arrived at *Bahia* on the 13th December, was on the 3d September, and where she actually procured her cargo. And should there turn out to be sufficient reason for so doing, to take such further measures as may ensure a regular official enquiry into the Case: making the facts known to His Majesty's Government and to me.

I have the honour to be, &c.

*Wm. Follett, Esq.*

H. CHAMBERLAIN.

No. 46.—*Mr. Vice-Consul Follett to Mr. Secy. Canning.*—(Rec. July 19.)  
SIR, *Bahia, May 29, 1824.*

SUSPICION having been excited that the *Brazilian* Slave Brig, *Zephiro*, Joao Neri da Silva, Master, which arrived in this harbour on the 13th December last, with a cargo of 299 Negroes, had been engaged in the illicit Slave Trade, in consequence, as appears by the enclosed Copy of a Letter received from His Majesty's Consul General, of a Vessel of the same name having been boarded by the Boats of His Majesty's Ship, *Driver*, considerably to the Northward of the Line; I deemed it right to apprise His Excellency the President of this Province of the circumstances of the Case, and to request him to direct an investigation thereof to be made.

I have the honour to enclose a Copy of my Letter, and of His Excellency's reply, which states that His Excellency had issued orders for a rigid examination of this affair,—the result of which has been that the Brig *Zephiro* was obliged to put into Ajudá, a Port to the Northward of the Line, for provisions, and afterwards proceeded to *Molembo*, (a Port



about thirty miles to the South of the Equator) from whence the Slaves in question were brought.

I have the honour to be, &c.

*The Right Hon. George Canning.*

WM. FOLLETT.

(Enclosure A.)—*Mr. Vice-Consul Follett to The President of Bahia.*

SIR,

*Bahia, May 18, 1824.*

I HAVE to inform your Excellency, that on the 13th December, 1823, the *Brazilian Brig, Zephro*, Joao Neri da Silva, Master, arrived in this harbour with a cargo of 299 Negroes, reported to me brought from *Molembo*, and also that a Brig whose name as well as that of the Master was exactly similar, was boarded on the 3d September, 1823, by the Boats of His Majesty's Ship, *Driver*, near a Place called *Whydah*, considerably to the Northward of the Line; and as there is reason to suspect that these Brigs are the same, and therefore that the cargo of Negroes imported in the above Brig, may have been received on board at some Port prohibited by Treaty, I take the liberty to request that your Excellency will so far interfere as to institute such inquiries as will best elucidate this affair, and clear away all suspicion, not only respecting the identity of these Vessels, but also respecting the Port where the Brig, *Zephro*, that arrived in this harbour on the 13th of December last, with a cargo of Negroes, actually received them on board.

I have the honour to be, &c.

*H. E. Francisco Vicente Vianna.*

WM. FOLLETT.

(Enclosure B.)—*The President of Bahia to Mr. Vice-Consul Follett.*

(Translation.)

*Palace of the Gov<sup>t</sup>. of Bahia, May 28, 1824.*

HAVING received the Note which you addressed to me on the 18th of the present month, concerning the Brig, *Zephyr*, which arrived in this harbour on the 13th December of last year, representing that the said Brig had passed the Line, and anchored in the Port of *Ajudá*, I immediately directed the Superintendent of the Customs to examine minutely into that matter, to find out whether that Ship, in violation of the Treaties, which are now most religiously observed in this Empire of *Brazil*, was engaged in illicit Traffic; and I have the satisfaction in reply to your Excellency, to inform you, that after the most rigid scrutiny and examination of witnesses on the Case, I have learnt that the Brig *Zephyr*, just arrived, put into the aforesaid Port of *Ajudá*, through stress of weather and scarcity of provisions, whence, returning to *Molembo*, it brought the two hundred and ninety-nine Slaves; which is also made evident by the terms of the Entry and the Manifest made in the Custom House of this Place on the 15th December last.

I avail myself of this opportunity, &c.

*The British Vice-Consul.* FRANCISCO VICENTE VIANNA, P.

No. 47.—*Mr. Consul Parkinson to Mr. Secy. Canning.*—(*Rec. Aug. 20.*)  
(Extract.) *Pernambuco, July 7, 1824.*

I HAVE the honour to transmit herewith a translated Copy of an *Edict* recently promulgated by Sñr Manoel Carvalho, President of this Province.

JOHN PARKINSON.

*The Right Hon. George Canning.*

*Enclosure.*—(*Translation.*)

*Palace of the Government of Pernambuco, July 7, 1824.*

HIS Excellency The President, thinking that the *Edict* which I have the honour to transmit will meet with a favourable reception by the friends of liberty and humanity residing in England, directs me to transmit you the enclosed Copy. God preserve you.

JOZE DA NATIVIDADE SALDANHA, Secretary.

*John Parkinson, Esq.*

*EDICT of the President of the Province of Pernambuco.*

IT being advisable, as well for the interests of humanity as those of this Province, to extinguish entirely a Commerce founded in complete opposition to the principles of natural rights, and the wisdom of the present age, I have resolved that the Slave Trade shall be suspended in this Port until the Sovereign Constituent Legislative Assembly shall finally determine the point.

The Authorities whom this may concern, are directed to comply, and to carry the same into execution.

MANOEL DE CARVALHO PAES D'ANDRADE, President.

*Palace of the Government of Pernambuco, July 3d, 1824.*

No. 48.—*Mr. Secretary Canning to Mr. Consul-Gen. Chamberlain.*

SIR, *Foreign Office, August 6, 1824.*

HIS Majesty's Commissioners at Sierra Leone have several times remarked, in their Despatches to me, on the mischievous effects which result from the practice of the *Brazilian* Authorities in giving permission to Vessels proceeding to *Molembo* for Slaves, to touch in their way at the Islands of *Princes* and *St. Thomas*. By this permission the Vessels obtain an excuse for being seen near the Slave Coast, to the Northward of the Equator, and the opportunity is generally taken advantage of by them for procuring their Cargo in those Parts, where, by the Laws of every Civilized Nation, the Slave Trade has been strictly forbidden.

I hope that the *Brazilian* Government, when made aware of the evils which are produced by the form in which their *Passport* is drawn up, will lose no time in altering it.

I am, &c.

*Henry Chamberlain, Esq.*

GEORGE CANNING.

No. 49.—*Mr. Consul-General Chamberlain to Mr. Secy. Canning.*—  
(*Rec. November 13.*)

SIR,

*Rio de Janeiro, August 27, 1824.*

AN Answer has at length been given to the Representation made to this Government, on the 26th of January last, in pursuance of the Instructions contained in your Despatch of the Slave Trade Series, dated the 25th of October, 1823, a Copy of which Representation I had the honour to transmit in my Despatch, dated the 13th of March of the present year, to which I beg leave respectfully to crave your reference.

You will perceive, in the Translation of M. De Carvalho's Note, that it has been usual to measure Slave Vessels by a different mode from that employed in the measurement of Merchant Vessels; a circumstance, I presume, unknown in England.

Indeed, notwithstanding the length of my residence in this Country, it was unknown to me, until I read the Minister's reply; since when I have made enquiries, and find that the modes are perfectly distinct:—one being called *Arqueação*, or measure of capacity, which is only used in ascertaining the Tonnage space of Slave Vessels—the other *Lotação*, or Measure of Tonnage of Merchant Vessels for Goods.

I have been disappointed in my expectation of procuring an explanation of the Rules observed in fixing both sorts of Tonnage, but from the expressions used by M. De Carvalho, it would seem that the space allowed for a solid ton of heavy merchandize, described by him under the terms of gravity or weight, is larger than that allowed for a ton of capacity, whereof two were legally allotted for the stowage of five Negroes;—that human beings were legally authorised to be crammed into a smaller space than that known to be occupied by their weight in lead or iron, or other ponderous substances.

I have carefully examined the Treaty and Conventions, but without being able to discover the Stipulation to which M. De Carvalho refers, when he speaks of a new and special Convention being requisite, before any alteration can take place in the Laws made in conformity with them; unless he alludes to the Specification at the end of the Passport, declaratory of the number of Slaves allowed to be carried in each Ship, according to the *Alvará* of the 24th of November, 1813, which specification by no means bears the interpretation he puts upon it, but is equally applicable to any other legal Regulation in the Number of Slaves per Ton, as it is to that now in force.

As the reply gives a positive assurance that the Emperor has ordered such a *Mode of Measurement* to be followed hereafter as shall guard against the inconveniences complained of, and ensure a regular and fixed Tonnage, I have judged that you would approve of my not taking any further step at present beyond that of asking for the particulars of this mode, as I have done in the Note dated the 16th instant, of which I have the honour to send a Copy enclosed.

No answer has yet been sent; but should it turn out that there is

no material difference between this and the old method of *Arqueação* I shall make an effort to induce the Government to adopt the System upon which the Tonnage for Payment of Light Dues is calculated, being that which I understand your Instructions to indicate as the proper one.

The *Alvará* of the 24th November, 1813, restricts the shipment to five Negroes for every two Tons, in Vessels not exceeding 201 Tons, and one Negro for each additional Ton, beyond this number; and then details the regulations to be observed for their health and safety.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. CHAMBERLAIN.

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(*Enclosure 1.*)—*M. de Carvalho e Mello to Mr. Consul-Gen. Chamberlain.*  
(*Translation.*) *Secy. of State's Office, Aug. 13, 1824.*

LUÍZ JOZÉ DE CARVALHO E MELLO presents his compliments to Mr. Henry Chamberlain, His Britannick Majesty's Consul General, and acknowledges the receipt of the Note which he addressed to him under date of the 26th of January of the present year, complaining of the practice which he says the owners of vessels employed in the licit Slave Trade follow, by causing their capacity to be measured at a greater number of Tons, so that an excessive quantity of Slaves may be shipped, a practice which he exemplified with the Smack, *Nova Sorte*, belonging to the Port of *Bahia*; and informs Mr. Consul General for his information, that it has been gathered from the Report of the President of that Province, and other Authorities, who were ordered to be heard upon this subject, that the ships have been measured according to the system of measurement, established by the respective Laws, and that if there has been any confusion, this has proceeded from giving the same denomination to two different operations,—the measure for a Cargo as regards gravity and weight, which is general in all Nations, and the measure for the shipment of Slaves, which has various dimensions and particular rules;—however, with all, even upon the hypothesis that experience may have shown the necessity of altering those Laws, which were made in conformity with the Conventions existing between Great Britain and Portugal, at the time when the Empire of Brazil was united to that Kingdom, this could not now take place, without being preceded by a new and special Convention that might properly regulate the measurement of Vessels for the Slave Trade. But His Majesty The Emperor, penetrated by sentiments of a liberal policy and of philanthropy towards these unhappy people, and desiring as much as lies in His power, to prevent all and every abuse, which may spring from the avarice of any of those who fit out vessels for the Slave Trade, has ordered the Authorities charged with this branch of service, that they shall cause to be observed, in the taking the dimensions of the said vessels, a method of measuring by a



fixed and regular Tonnage, and which may guard against the inconveniences of which Mr. Consul-General complains.

Luiz Joze de Carvalho e Mello renews on this occasion, &c.

*Henry Chamberlain, Esq.*

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(Enclosure 2.) *Mr. Consul-Gen. Chamberlain to M. de Carvalho e Mello.*

*Rio de Janeiro, August 16, 1824.*

Mr. Chamberlain presents his compliments to The Commander Luiz Joze de Carvalho e Mello, Councillor, Minister, &c. &c. and has the honour to acknowledge the receipt of His Excellency's Note of the 13th Instant, wherein he has been so good as to communicate to him, that His Majesty The Emperor had given orders, that the Authorities charged with the *measurement of Vessels* employed in the licit Slave Trade, shall follow such a method as will make the Tonnage fixed and regular; and thus prevent the irregularities which formed the subject of Mr. Chamberlain's representation of the 26th January last.

As this result of the application in question, will undoubtedly be very agreeable to His Britannic Majesty's Government, Mr. Chamberlain begs the favour of His Excellency to enable him to make it still more so, by the transmission also of the particulars of the mode now ordered to be followed in the measurement, should this vary from that in practice, for ascertaining the Tonnage of Vessels for the payment of the Light Duties. And he makes this request for the purpose of its being sent, if necessary, to the Mixed Commission at Sierra Leone; with the view of preventing difficulty or doubt, hereafter, respecting the number of Negroes, that Brazilian Vessels, brought before the Court for adjudication, are legally entitled to carry.

He requests His Excellency to accept, &c.

*H. E. The Commander Luiz Joze de Carvalho e Mello.*

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No. 50.—*Mr. Consul-General Chamberlain to Mr. Secy. Canning.*

(*Rec. Nov. 11.*)

SIR,

*Rio de Janeiro, Sept. 10, 1824.*

I HAVE the honour to forward for your information the Copy of a Statement received last week from Mr. Consul *Hesketh*, at *Maranham*, shewing the importation of Negroes into that Port during the year 1823.

You will perceive that pretexts have been allowed for the entry of one Cargo of Slaves from the *Cape de Verds*, and of another from *Bissau*, the latter being brought in a Vessel called the *Maria*; another, or the same *Maria*, having been allowed to land a Cargo there from *Bissau* a year before, as will be seen upon reference to my Correspondence.

Since the Declaration of Independence at *Maranham*, no Slave

Vessel appears to have arrived there, but I have nevertheless written a short Note to M. de Carvalho e Mello, pointing out the former irregular proceedings, and calling upon him to warn the Local Authorities not to permit them to be repeated.

I have the honour to be, &c.

H. CHAMBERLAIN.

P. S. *Sept. 15.*

I have the honour to inclose a Copy and Translation of the Minister's reply to the Note before mentioned, which has been received this day.

H. C.

*The Right Hon. George Canning.*

(*Enclosure 1.*)—STATEMENT of the Importation of Slaves into *Maranhã*.

Date of Entry.	Description of Vessels.	Names of Vessels	Whence.	Slaves.			REMARKS.
				Embark'd	Died	Landed	
1823.							
Jan. 3	Schooner	Liberal - -	{ Angola & Per- }	291	10	281	
" 24	Ditto	Bella Astrea -	{ nambuco }	114	0	114	
" "	Brig -	{ Trintahum de }	{ Bahia & Ceara }				
" "	"	{ Mayo }	{ Rio Janeiro and }	1	0	1	
Feb. 12	Schooner	Paquete de Rio	Pernambuco -	11	0	11	
" 25	Ditto	Conceicao	Bahia -	241	9	232	
Mar. 17	Brig -	{ S. Joze Diligente }	Angola -	349	52	297	{ Landed under Bond to produce the Licence within eight months. Licence not yet arrived.* }
April 9	Schooner	Liberal -	Cape de Verde -	118	0	118	
" 25	Brig -	Triunfo da Inveja	Molembo -	302	0	302	{ Landed under a Licence from the Sec. of State at Rio Janeiro. Copy of which only produced. }
May 27	Ditto	{ Paquete da Bahia }	Bahia -	210	3	207	
June 10	Schooner	Maria -	Bissau -	212	0	212	
" 12	Ship -	Feliz Ventura	Bahia -	59	1	58	
				1908	75	1833	

\* These Slaves were shipped in the name of Luiz Antonio de Araujo. On the Vessel's arrival the Consignees petitioned the Junta then governing this Province, and the following answer was made to the Petition:—

(Translation.)—The requested permission for the landing is granted on account both of the Pass and of the Additional Article annexed to the Treaty; it being understood that Memorialist binds himself, by giving security, to abide the pleasure of His Majesty, for a term of eight months to be counted from this date. Maranhã, Palace of the Government, April 19th, 1823. K. H.

(*Enclosure 2.*)

*Mr. Consul-General Chamberlain to M. de Carvalho e Mello.*

*Rio de Janeiro, September 9, 1824.*

MR. Chamberlain, His Britannic Majesty's Consul-General, has the honour to state to His Excellency the Commander Luiz Joze de Carvalho e Mello, Councillor, &c. &c. &c. that previous to the Declaration of Independence at *Maranhã*, the Government of that Province has occasionally permitted Vessels with Cargoes of Slaves from parts of Africa North of the Line, chiefly from the *Cape de Verdes*, *Bissau*, *Cachou*, and their neighbourhood, to be landed under various pretexts; every one of which have either been infractions of the existing Treaty

and Conventions for the regulation of the Trade, or abuses of Licences granted by the Government of His Most Faithful Majesty.

During this last year there were two examples of this kind; one, that of the Schooner, *Liberal*, from the *Cape de Verdes*, with 118 Slaves, the other, that of the Schooner, *Maria*, from *Bissau*, with 212: the former having landed her Cargo under a bond to produce the Royal Licence authorizing the Voyage; (which has not been done;) the latter upon a mere production of a Copy of a Licence said to have been granted by the Secretary of State at Rio de Janeiro.

Mr. Chamberlain's object in stating these facts to His Excellency is for the purpose of shewing that there has existed cause of complaint; and of requesting that His Excellency will take the earliest opportunity of directing the Provisional Government of that Province not to permit any such irregularities in future.

He has the honour to renew on this occasion, &c.

*H. E. The Commander Luiz Joze de Carvalho e Mello.*

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(Enclosure 3.)—*M. de Carvalho e Mello to Mr. Consul-Gen. Chamberlain.*  
(Translation.) *Secy. of State's Office, 14th Sept. 1824.*

LUIZ JOZE DE CARVALHO E MELLO, presents his compliments to Mr. Henry Chamberlain, His Britannic Majesty's Consul-General, and in reply to his Note under date of the 9th Instant, wherein he complains that the Government of the Province of Maranhão has occasionally permitted, previous to the Declaration of Independence, the discharge of various Vessels with Cargoes of Slaves, under sundry prettexts, has to inform him that the proper Orders are issued to the President of the said Province, to enquire into these facts, and report circumstantially what has happened, in order that the necessary measures may be taken in reference to the existing Treaty and Conventions which regulate the Slave Trade.

Luiz Joze de Carvalho e Mello, renews on this occasion, &c. &c.

*Henry Chamberlain, Esq.*

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No. 51.—*Mr. Secy. Canning to Mr. Consul-Gen. Chamberlain.*

SIR, *Foreign Office, November 19, 1824.*

I HEREWITH transmit to you for your information, a Copy of Papers marked A. & B. relative to the Slave-Trade, which were presented to both Houses of Parliament by His Majesty's command, in the course of the last Session. I am, &c.

*Henry Chamberlain, Esq.*

GEORGE CANNING.

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No. 52.—*Mr. Secy. Canning to Mr. Consul-Gen. Chamberlain.*

SIR, *Foreign Office, December 17, 1824.*

I SEND to you the Extract of a Letter from Captain Woolcombe of

His Majesty's Ship, *Victor*, containing an account of the state in which Slaves were found on board of a *Brazilian* Vessel, named *Diana*, detained by the *Victor* on the Coast of *Africa*.

The deplorable condition of these unfortunate Slaves as described in that Letter is, I am willing to believe, so totally at variance with the Instructions and positive Orders of the *Brazilian* Government, that when you communicate to them this Report, due enquiry will be made into the transaction, and that wherever blame may be found to rest, the Persons concerned will be visited with such punishment as shall be calculated to prevent for the future such an aggravation of misery as has been entailed on these unfortunate Beings.

I have the honour to be, &c.

Henry Chamberlain, Esq.

GEORGE CANNING.

(Enclosure.)—Captain Woolcombe to Commodore Bullen.

(Extract.)

Island of St. Thomas, 20th August, 1824.

IN obedience to your Order of the 29th July last, I yesterday arrived at this anchorage, and immediately commenced watering, which I shall have completed by noon, and shall proceed again to my cruising ground as soon as the boat returns from the Town, which takes this up, and lands some *Portuguese*. I have been so fortunate as to seize a *Brazilian* Brigantine, named *Diana*, with 143 Slaves on board at the time of seizure.

Of all Vessels I was on board of, this was in the most deplorable condition; the stench from the accumulation of dirt, joined to that of so many human beings packed together in a small space, (the men all ironed in pairs) was intolerable, and to add to this scene of misery the small pox had broken out among them, nine had died before we took possession, and one almost immediately after our first boat got alongside.

In consulting the Surgeon, I was sorry to find nothing could be done for them, it being impossible to take them into this Ship, as many of the Kroomen had not had the small pox, and the chances are that even if we had done so, it would not have checked it in the others left on board, on whom it had not then made its appearance, as it was nearly sunset when we got hold of her after a chase in the wind's eye from 7 A. M. We kept her by us all night, and in the morning gave her as good a cleaning and whitewashing as we could, and then sent her off to Sierra Leone, under charge of Mr. Young, who has been long on the Coast, and having taken up prizes before, perfectly understands how to treat the Slaves.

But I must say, I have great fear that they will lose a great many on their way, although great care was taken that no one should go on board who had not had this disease. I hope no accident will happen to any of our own people gone up in her. I have given Mr. Young



orders to bring his people down to Cape Coast by the first conveyance.

EDWARD WOOLCOMBE.

*Commodore Bullen,*

*Commr.-in-Chief of H. M. S. and Vessels, Coast of Africa.*

No. 53.—*Mr. Consul-Gen. Chamberlain to Mr. Secy. Canning.*

(*Rec. Nov. 11.*)

SIR,

*Rio de Janeiro, Sept. 18, 1824.*

I REGRET to say that I have not yet been able to obtain the particulars of the Rule used in the *Admeasurement* of Slave Vessels, though I have ascertained that it differs entirely from that employed in calculating the Tonnage of Merchant Ships.

I had hoped that the Minister would have acquiesced in my request to be furnished with information on this point, but his Note of the 2d Instant, in reply to mine of the 16th Ult., (forwarded by the last Packet) shewing me that I was not to expect this favour, and declaring besides, that the Vessels whose incorrect measurement you had instructed me to represent to the Brazilian Government, which representation formed the subject of my Letter to His Excellency of the 26th of January last, (of which I have already had the honour to send you a Copy) had been officially ascertained to have been measured according to law, I felt it to be proper not to let the matter stop where it was.

And accordingly I addressed M. de Carvalho again on the 10th Instant on this subject, pointing out the necessity for His Majesty's Government being made acquainted with the mode prescribed by the law for measuring these Vessels; and reiterating the request to be furnished with the Rule.

Inclosure No. 3, being the Copy of this Letter, will put you in possession of what I considered myself called upon to say in support of the request. The chief arguments being in substance, that the British Government having bound Itself by Treaty to pay Demurrage for Slave-Ships, improperly detained by British Cruizers, according to a fixed Scale of Tonnage, it is of moment to know how the Tonnage of such Vessels is ascertained: because, as these are found upon investigation by the British Authorities, to be of much larger capacity, when employed in the Slave Trade, than when measured for other purposes, at the same time that their estimate for the latter very nearly coincides with what it would be in England; whilst their estimate for the former very considerably exceeds it; the British Government is thus rendered liable to pay a much higher rate of Demurrage than is *bonâ fide* due under the Treaty.

And, that there being now very sufficient reason to believe that the practice used in measuring Slave Vessels in *Brazil*, instead of being the means of restricting the shipment to five Individuals to every two Tons, has been employed to make it legal to ship at the rate of four

nage;—In the 2d above one half;—In the 3d not quite one fourth;—And in the last, rather more than one half.

I will take the liberty to request your Excellency's attention to the Case of the first of these Vessels; as that whose Tonnage has been ascertained by a British Authority; and found very nearly to agree with that declared by a *Brazilian* Authority, for other purposes than the Slave Trade.

According to this (which is selected for example sake as the real Tonnage) she would be entitled, at the rate of 5 for every two tons, to carry 210 or 211 Slaves; by the other, 353 Slaves; that is to say, this excessive measure entitles her to carry upwards of four Slaves for each bonâ fide Ton. And the result is nearly the same in the other Cases; which I will venture to assert, and to pledge myself, is not the understanding in which the Treaty of 1815 and the Additional Convention of 1817, were agreed to by the British Government.

At all events, as this question has arisen out of your Excellency's Note of the 2d instant, and is one in which the British Government is deeply interested, as well as that of Brazil, I feel myself called upon to furnish His Majesty's Secretary of State with all the information I can obtain upon the subject, to the end that he may be able to take it into full consideration. Wherefore I trust your Excellency will excuse my renewing the request already made on the 16th ult. and will be pleased to cause to be delivered to me a Copy of the rule established by Law, for admeasuring the Tonnage of Vessels to be employed in the licit Slave Trade; according to which the number of Slaves allowed to be shipped in each Vessel is calculated.

I have great satisfaction in profiting of this opportunity, &c.

H. CHAMBERLAIN.

*H. E. The Commr. Luiz Joze de Carvalho e Mello.*

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No. 54.—*Mr. Consul-General Chamberlain to Mr. Secretary Canning.*  
(*Rec. Dec. 25.*)

SIR,

*Rio de Janeiro, October 30, 1824.*

IN obedience to the Instructions contained in your Despatch of the Slave Trade Series, dated the 6th of August, received here on the 17th instant, per Lord Melville Packet, I addressed a Letter to the Secretary of State for Foreign Affairs, stating the mischievous effects resulting from the permission given to *Brazilian* Vessels proceeding to *Molembo* for Slaves, to touch in their way at the Islands of *Princes* and *St. Thomas*; and signifying the expectation of His Majesty's Government that the *Brazilian* Government, being made aware of the evils produced by the present form of Passports, would lose no time in altering it.

Yesterday I received a Reply to this Representation (of which I

beg leave to send a Copy and Translation) stating that the latter has been sent on the 27th inst. to the Government of *Bahia*, with orders to report upon the subject, in order that the Emperor may then decide upon what may be requisite to be done.

I have honour to be, &c.

*The Right Hon. George Canning.*

H. CHAMBERLAIN.

(*Enclosure 1.*)—*Mr. Consul-Genl. Chamberlain to M. de Carvalho e Mello.*  
SIR, *Rio de Janeiro, October 20, 1824.*

I have been instructed to make known to your Excellency, that His Majesty's Commissioners at *Sierra Leone* have several times represented to their Government the mischievous effects resulting from the practice of the *Brazilian* Authorities, in giving permission to Vessels proceeding to *Molembo* for Slaves, to touch, in their way, at the Islands of *Princes* and *St. Thomas*. By which permission these Vessels obtain an excuse for being seen near the Slave Coast, to the Northward of the Equator; and they generally take advantage of the opportunity to procure Cargoes of Negroes in those parts, where, by the Laws of every Civilized Nation, the Slave Trade has been strictly forbidden.

It is my duty to add, that His Majesty's Government trust, that the *Brazilian* Government, now they are made aware of the evils which are produced by the form in which their *Passport* is drawn up, will lose no time in causing it to be altered.

I beg to repeat to Your Excellency, on this occasion, the sentiments of perfect consideration with which I have the honour to be, &c.

H. CHAMBERLAIN.

*H. E. The Commr. Luiz Joze de Carvalho e Mello.*

(*Enclosure 2.*)—*M. de Carvalho e Mello to Mr. Consul-Genl. Chamberlain.*  
(*Translation.*) *October 29, 1824.*

LUIZ JOZE DE CARVALHO E MELLO presents his compliments to Mr. H. Chamberlain, His Britannic Majesty's Consul-General; and acknowledging his Note of the 20th instant, in which he acquaints him that the Commissioners of His Britannic Majesty at *Sierra Leone*, have at various times represented to their Government the bad effects resulting from the practice followed by the *Brazilian* Authorities, in permitting Vessels bound to *Molembo* to trade for Slaves, to touch on their way at the Islands of *Princes* and *St. Thomas*, has to inform him, that his Note was transmitted on the 27th instant, to the President of *Bahia*, in order that his report on this subject may be made known to the Emperor.

Luiz Joze de Carvalho e Mello profits of this opportunity, &c. &c.  
*Henry Chamberlain, Esq.*

No. 55.—*Mr. Consul General Chamberlain to Mr. Secy. Canning.*  
(*Rec. Feb. 6.*)

SIR,

*Rio de Janeiro, December 11, 1824.*

M. DE Carvalho e Mello having sent me, on the 6th instant, a Note explaining in detail the method used to find the *Tonnage* of Vessels employed in the licit Slave Trade, requested by me on the 10th of September last, for the purpose of being transmitted to His Majesty's Government, I have the honour to send herewith a Copy and Translation thereof, for their information.

According to this mode of estimating the Tonnage of Slave Vessels, a Brig called the *Adamastor*, of about 189 tons burthen, belonging to this Port, is allowed to carry 750 Slaves, that is to say, her burthen for the Slave Trade is 300 tons, which seems to be about the general rule of proportion in the Vessels quoted in the Representation of the Mixed Commission at *Sierra Leone*.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. CHAMBERLAIN.

(*Enclosure.*)—*M. de Carvalho e Mello to Mr. Consul-Gen. Chamberlain.*  
(*Translation.*) *Secretary of State's Office, December 6, 1824.*

LUIZ JOZE de Carvalho e Mello, presents his compliments to Mr. Henry Chamberlain, His Britannic Majesty's Consul General, and acknowledges the receipt of the Office of the 10th September last, which he addressed to him, requesting that the mode followed in the *measurement* of *Brazilian* Vessels employed in the licit Slave Trade might be officially communicated to him, in order that he might transmit it to the knowledge of the British Government.

Luiz Joze de Carvalho e Mello, having by order of His Majesty The Emperor, required from the Competent Tribunal of the Board of Trade, the transmission of all the necessary explanations respecting the mode in question, the same Tribunal, after having taken every information which was necessary to this end, have just made known as follows:—The ground or flooring of the quarter deck, forecastle, deck, and the middle deck from stem to stern, are divided into partial lengths of 6 palms which are called "*Rumos*" [Compartments]; these breadths are added up on each flooring, or deck, and the sum multiplied by 6 in order to have the superficies of each deck in square palms: if it happen that there are any fractions of a "*Rumo*" the breadth of the Ship is equally taken at the middle of it, and this is multiplied by the palms of the said fractions, and its product added to the before mentioned; the same is done with the other decks or floorings; afterwards the products or partial results are added up, abating from the amount the



reserved places, that is, of those spaces which are occupied by any thing, as for example the stem of the bowsprit, bits, top knight-head, and fore-scuttle, foremast, cook's fire-place and stand, launch, knight-head, mainmast, pumps, companion, binnacle, and rudder-case, whose superficies are also measured in square palms, and dividing the remainder by 36, which is the number of square palms contained in a ton or two pipes, each of which is 6 palms in length and three in medium diameter, the number of superficial tons will be found, whereof taking the half and multiplying it by five, the quantity of Slaves which ought to be reckoned for every two tons, will give the number that the Ship may carry. The cabin and births enter into this measurement, because on the return voyage, no person has any particular place; and the steerage is not measured, because this is the place appointed for the hospital: however, if the Ships have births for the Seamen, *Cado-leixas*,\* or *Tarimbas*,† these do not come into the measurement.

Luiz Joze de Carvalho e Mello transmitting to Mr. Consul-General the above information, judges he has satisfied his requisition; and profits, &c.

*Henry Chamberlain, Esq.*

\* Cannot ascertain what place or space is called by this name.

† Board fixed up in any part of the Ship (on deck, between decks, or elsewhere) for the sailors to sleep on.

No. 56.—*Mr. Consul-General Chamberlain to Mr. Secretary Canning.*  
(*Rec. March 6.*)

SIR,

*Rio de Janeiro, January 4, 1825.*

I HAVE the honour to transmit herewith a Statement of the Number of Negroes brought into this Port of *Rio de Janeiro* during the last year;—and a Comparative Statement of the Importations during the years 1823 and 1824.

On the *Eastern Coast of Africa* there appears to have been a small diminution in the numbers embarked, with a vast increase of mortality during the voyage; whilst on the *Western*, the Trade has flourished eminently, the numbers embarked having risen from about Twelve thousand, to near Twenty-two thousand, an excess of nine thousand six hundred and ninety over the number embarked during the preceding year.

The mortality also exceeds the average ratio of that year.

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. CHAMBERLAIN.

(Enclosure 1.)—STATEMENT shewing the number of Slaves imported into *Rio de Janeiro* during the year 1824.

Date.	NAME.	Whence.	Slaves		
			Embark'd	Died	Landed
1824.					
Jan. 3	<i>Boa Hora</i> - - - -	Bahia -	326	0	326
" 5	<i>Tejo</i> - - - -	Benguella -	346	7	339
" 29	<i>Avidor</i> - - - -	Bahia -	27	0	27
Feb. 2	<i>Viajante</i> - - - -	Mosambique	596	122	474
" 14	<i>St. Antonio Flor de Loanda</i>	Cabinda -	566	13	553
" "	<i>Minerva</i> - - - -	Quilimane -	517	139	378
" 15	<i>9 de Janeiro</i> - - - -	Mosambique	596	109	487
" 18	<i>Santa Roza</i> - - - -	Ambris -	393	0	393
" 22	<i>Industria</i> - - - -	Angola -	625	31	594
" 23	<i>Pastora de Lima</i> - - - -	Benguella -	467	32	435
" 24	<i>Bella Umiliana</i> - - - -	Do. -	202	3	199
" 26	<i>Imperio do Brazil</i> - - - -	Quilimane -	404	67	337
" 27	<i>General Rego</i> - - - -	Angola -	600	49	551
" "	<i>Conde dos Arcos</i> - - - -	Quilimane -	446	108	338
March 3	<i>Zephro</i> - - - -	Do. -	518	41	477
" 5	<i>Trajano</i> - - - -	Do. -	536	123	413
" 14	<i>Leopoldina</i> - - - -	Bahia -	175	0	175
" 21	<i>Santo Antonio</i> - - - -	Cabinda -	697	34	663
" 25	<i>Adamastor</i> - - - -	Quilimane -	448	186	262
" 31	<i>Esperança</i> - - - -	Benguella -	455	48	407
April 10	<i>6 de Fevereiro</i> - - - -	Mosambique	612	67	545
" 13	<i>Amizade dos Santos</i> - - - -	Angola -	282	68	214
" 22	<i>Boa Uniao</i> - - - -	Do. -	396	40	356
" 22	- - - -	Quilimane -	403	47	356
" 24	<i>4o de Abril</i> - - - -	Mosambique	627	139	488
" "	<i>Senra. da Guia</i> - - - -	Quilimane -	496	301	195
" 25	<i>Poliphemo</i> - - - -	Angola -	543	9	514
May 1	<i>Henriqueta</i> - - - -	Ambris -	539	61	478
" 3	<i>Lucrecia</i> - - - -	Do. -	300	33	267
" 4	<i>Novo Despique</i> - - - -	Cabinda -	608	0	608
" 13	<i>Lisboa</i> - - - -	Do. -	441	8	433
" "	<i>San Joze Deligente</i> - - - -	Do. -	556	2	554
" 18	<i>Nympha do Brasil</i> - - - -	Angola -	475	71	404
" 24	<i>Desuniao</i> - - - -	Do. -	198	6	192
" 29	<i>Mercurio</i> - - - -	Benguella -	423	37	386
July 15	<i>Mercantil</i> - - - -	Angola -	430	93	337
" 26	<i>Regenerador</i> - - - -	Do. -	240	0	240
" 31	<i>Trajano</i> - - - -	Benguella -	535	40	495
Aug. 3	<i>Bom Jesus</i> - - - -	Angola -	565	44	521
Sept. 3	<i>Amalia</i> - - - -	Do. -	760	23	737
" 23	<i>Donna Anna</i> - - - -	Do. -	337	54	283
" 29	<i>Tejo</i> - - - -	Cabinda -	558	2	556
Oct. 2	<i>Bella Americana</i> - - - -	Ambris -	425	8	417
" "	<i>Caçador</i> - - - -	Do. -	562	8	554
" 11	<i>Cometa</i> - - - -	Cabinda -	668	2	666
" 21	<i>Abysmo</i> - - - -	Angola -	340	15	325
" 24	<i>Santa Roza</i> - - - -	Ambris -	407	0	407
Nov. 2	<i>Santo Antonio Flor de Loanda</i>	Do. -	441	6	435
" 4	<i>Principe Real</i> - - - -	Angola -	490	14	476
" 8	<i>Maria</i> - - - -	Do. -	448	28	420
" 15	<i>Amazonia</i> - - - -	Ambris -	489	2	487
" 16	<i>Flora</i> - - - -	Benguella -	272	5	267
" 28	<i>Conceição de Passos</i> - - - -	Angola -	407	17	390
" 29	<i>Regeneradora</i> - - - -	Angola -	274	4	270
" 30	<i>Gram Penedo</i> - - - -	Cabinda -	480	24	456
Dec. 1	<i>Desengano</i> - - - -	Benguella -	574	26	548
" "	<i>Desuniao</i> - - - -	Angola -	250	0	250
" 2	<i>Marquez do Pombal</i> - - - -	Ambris -	459	1	458
" 4	<i>Principe Real</i> - - - -	Mosambique	742	34	708
" "	<i>Ligeiro</i> - - - -	Ambris -	409	11	398
" 13	<i>Imperador do Brazil</i> - - - -	Benguella -	502	22	480
" 16	<i>Galiana</i> - - - -	Cabinda -	320	4	316
" 17	<i>St. Antonio Destimido</i> - - - -	Do. -	667	11	656
" 20	<i>Amizade de Santos</i> - - - -	Angola -	321	0	321
Total			29,211	2,499	26,712

H. CHAMBERLAIN.

## (Enclosure 2.)

COMPARATIVE Statement of the Number of Slaves imported into *Rio de Janeiro*, during the years 1823 and 1824.

	1823.			1824.			DECREASE.			INCREASE.		
	Embark- ed.	Died.	Landed.	Embark- ed.	Died.	Landed.	Embark- ed.	Died.	Landed.	Embark- ed.	Died.	Landed.
From Western Coast of Africa	12,052	530	11,349	21,742	1016	20,276				9690	486	9377
Eastern Coast of Africa	7,448	858	6,590	6,941	1483	5458	507		1132		625	
Bahia and Pernambuco	983		983	528		528	455		455			
	20,483	1388	18,922	29,211	2499	26,712	962		1587	9690	1111	9377
Deduct decrease - - -										962		1587
Total increased in 1824 over 1823 - -										8728	1111	7790

H. CHAMBERLAIN.

No. 57.—*Mr. Consul-General Chamberlain to Mr. Secretary Canning.*—  
(*Rec. March 6.*)

SIR,

*Rio de Janeiro, January 5, 1825.*

I BEG leave to transmit the Translation of a *Portaria*, dated the 22d of December last, that has appeared amongst the Official Articles in the Government Newspaper of this day, ordering that the same Duties shall hereafter be levied upon Slaves imported from the *Eastern Coast of Africa (Mosambique)* as have been customary upon those from *Angola, Benguella*, and the other Ports on the *Western Coast*.

In order to understand the terms of the *Portaria*, it is necessary to explain, that previous to the Declaration of *Brazilian* Independence, an Exportation Duty of R<sup>s</sup>. 9\$8060, (at par 67½d. about £.2 10s. 4d.) per head, was levied in the *Portuguese* African Ports upon each Slave shipped from thence; and a further Importation Duty of R<sup>s</sup>. 12\$940 (about £.3. 12s. 9½d.) per head, levied upon their arrival in this Country.

In the commencement of last year, the *Brazilian* Government, in consideration that the Export Duty levied in the Ports of *Angola, Benguella*, and the others on the *Western Coast of Africa*, which had remained faithful to The King of *Portugal*, was received for the benefit of this Revenue, directed that an equal sum should be levied here in addition to the Import Duty, in order to make up the whole amount levied for their use, equivalent to what they had been accustomed to receive whilst those Ports were under the controul of the Government in *Brazil*.

By some oversight, the operation of this measure was not extended to Negroes imported from the Ports on the *Eastern Coast of Africa*.

But now, finding that these expectations have not been realized—

the importations from both Coasts are ordered to be put upon the same footing with respect to Duties.

The sum total to be paid upon each Negro, supposing the whole quantity imported to be shipped in *Portuguese African* Ports will be hereafter £.8. 13s. 5½d. of which

	£,	s,	d,
Portugal will receive.....	2	10	4
And Brazil.....	6	3	1½
	<hr/>		
	£.8	13	5½
	<hr/>		

I have the honour to be, &c.

*The Right Hon. George Canning.*

H. CHAMBERLAIN.

(*Enclosure.*)—PORTARIA.—(*From the "Diario Fluminense," No. 3, dated 5th January, 1825.*)—*Translation.*

HIS Majesty The Emperor orders that the Slaves brought from the Ports of *Eastern Africa* shall henceforth be subject to the payment of the same Duties of export and import as are at present paid upon Slaves from *Angola, Benguella*, and the other Ports of *Western Africa*; which He orders to be communicated by the Secretary of State's Office for the Affairs of the Treasury, to the Councillor, Judge *ad interim* of the Custom-House, for his information and execution.

MARIANNO JOZE PERREIRA DA FONSECA.

*Palace, 22d December, 1824.*

No. 58.—*Mr. Secretary Canning to Mr. Consul General-Chamberlain.*  
SIR, *Foreign Office, March 16, 1825.*

I HAVE received your Despatch, marked Slave Trade, of the 11th of December, 1824, containing M. de Carvalho's answer on the subject of the *over-rating of Tonnage* of *Brazilian* Vessels employed in the legal Slave Trade.

When His Most Faithful Majesty was first urged by His Majesty's Representative, at *Rio de Janeiro*, to put an end to the Slave Trade from *Africa*, it was answered, that the Trade should be abolished on the part of *Portugal* and *Brazil*, so soon as the step could be taken without injury to the latter Country; and that, in the meanwhile, the Trade should be circumscribed in its limits, and mitigated in the mode of carrying it on.

In pursuance of these principles, the Treaty of the 19th of February, 1810, the Convention of the 21st of January, 1815, and that of the 28th of July, 1817, were severally concluded, and the *Alvará* of the 26th of January, 1818, was, after much correspondence on the part of this Government, promulgated as the Law of *Portugal* and *Brazil*, for carrying into effect the Stipulations of these Compacts.

One point in the mode of carrying on the Traffic, calling particu-



larly for amendment, had been the practice of stowing away human beings in Slave Ships, chained together so close, that in all cases extreme misery, and in very many cases madness and death, were the result: but the 6th Article of the *Alvará* declared, that, in future, "the number of Slaves shall be regulated according to the Tonnage of the Vessel, in the proportion of five to every two Tons, according to the antient measure."

The expectations, however, which the British Government naturally entertained of the effect of this Order, have been entirely disappointed; for upon the investigation by His Majesty's Commissioners at *Sierra Leone*, of the Cases of the Slave Ships, the *Nova Sorte*, the *Conceição*, the *Lisboa*, and the *Commerciante*, it was found, that the Slaves on board were in far greater numbers, in proportion to the regular and actual admeasurement of the Vessel, than, according to the *Alvará*, were allowed.

The Commissioners having reported the circumstances to me, you were instructed to desire an inquiry into the matter from the *Brazilian* Government.

M. de Carvalho e Mello answered to you, that there were *two* modes of measuring Vessels, one for Merchant Vessels in general, and one for Slave Vessels; by which proceeding, as you remarked, human beings could be crammed into a smaller space than that known to be occupied by their weight in lead.

The Minister, however, assured you, that in future a fixed and regular mode of admeasurement should be employed, and which would guard against the inconveniences of which you had complained.

M. de Carvalho has finally, and after a long delay, given to you an explanation in detail, of the method used to find the Tonnage of Vessels employed in the licit Slave Trade, by which method a Vessel of about 189 Tons real burthen is allowed to carry 750 Slaves, and to rate herself at 300 Tons.

The principle thus avowed by the *Brazilian* Minister, instead of remedying, justifies the evil, by the extraordinary process of allowing a fictitious Tonnage to a Slave Vessel.

You will make urgent representation to the *Brazilian* Government upon this subject. You will represent to them, that the Law, as it now stands, is utterly at variance with the principles of humanity declared in the solemn Compacts already recited. That it by no means fulfils the promise officially made to you by M. de Carvalho e Mello, in August, 1824, engaging that the evil complained of should be remedied. And that, as it does not appear to be at all consonant to the desire to alleviate the miseries of the Slave Trade, which has so often been reported by you, as prevailing in the breast of the highest Authority in *Brazil*, His Majesty's Government trust, that this most unjustifiable decision will be reconsidered, and that a *Decree* will be

immediately issued, which shall do away one at least among the evils justly complained of, as existing in the details of the practice of Slave importations from *Africa*.

I am, &c.

*Henry Chamberlain, Esq.*

GEORGE CANNING.

## NETHERLANDS.

*No. 59.—Mr. Secretary Canning to Viscount Granville.*

MY LORD,

*Foreign Office, May 28, 1824.*

YOUR Excellency will acquaint The Netherlands' Government, that His Majesty's Ship *Thetis*, commanded by Captain Sir John Phillimore, has been furnished with the Instructions annexed to the Treaty of the 4th of May, 1818, between His Majesty and The King of The Netherlands, for the prevention of the traffic in Slaves.

I am, &c.

*His Excellency Viscount Granville.*

GEORGE CANNING.

*No. 60.—Mr. Secretary Canning to Viscount Granville.*

MY LORD,

*Foreign Office, May 30, 1824.*

BY a Communication which I have received from the Admiralty, it appears that the Instructions annexed to the Treaty between His Majesty and The King of The Netherlands, for the prevention of the Slave Trade, have been issued to the following Ships and Vessels of His Majesty's Navy: viz.—

Ships' Names,	Guns,	Commanders,
Gloucester - - -	74 - -	George F. Rich.
Owen Glendower - -	42 - -	Sir Robert Mends.
Ariadne - - -	26 - -	Const. R. Moorsom.
Victor - - -	18 - -	Thomas Prickett.
Swinger, G. V. - -	12 - -	Lieut. John Scott.

And that the Instructions have been recalled and cancelled which had been issued upon this subject to the following Vessels, viz.: *Iphigenia*, *Sybille*, *Tamar*, *Tees*, *Tync*, *Thistle*, and *Snapper*. Your Excellency will communicate these facts to the Government of The King of The Netherlands.

I am, &c.

*His Excellency Viscount Granville.*

GEORGE CANNING.

*No. 61.—Viscount Granville to Mr. Secy. Canning.—(Rec. May 31.)*

SIR,

*The Hague, May 28, 1824.*

I HAD on Wednesday a conference with Count de Reede, and I verbally made to him the Representations which are to be found in the

two Official Notes which I have since addressed to him, and of which I have the honour to enclose Copies.

His Excellency did not appear disposed to controvert the opinion, that the present *Regulations* by which the Captains of *Dutch Ships of War* are exposed, by capturing Vessels suspected of Slave Trading, to considerable loss, without any chance of advantage to themselves, are of a nature to discourage a due execution of the Duty, which those Officers are enjoined to perform.

I have also notified, in obedience to the Instructions contained in your Despatch (Slave Trade) of the 6th of May, the names of those of His Majesty's Ships which have received Instructions under the Treaty between His Majesty and The King of The Netherlands for the prevention of the Slave Trade.

I have the honour to be, &c.

The Right Hon. George Canning.

GRANVILLE.

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(Enclosure 1.)—Viscount Granville to The Comte de Reede.

The Hague, May 24, 1824.

THE Undersigned, &c. has received Instructions from his Court to communicate to the Netherland Government, the enclosed Despatch from His Britannic Majesty's Commissary Judge at *Surinam*, relating to the Case of the French Brig *La Légère*, detained and sent into *Surinam* with 353 Slaves, by Sir Thomas Cochrane: he is at the same time directed to express the gratification which is felt by the English Government at the highly honourable and active conduct pursued on this occasion by the Governor of *Surinam*, in the execution of the orders of his Sovereign.

His Excellency the Governor, however, will find it absolutely impossible, even with the very best intentions, to prevent entirely the Importation of Slaves into the Colony, unless the number of Ships of War on that Station shall be augmented; not one Netherland Vessel of War, it is stated, has been at *Surinam* from the end of last June to the middle of December last, and persons interested in carrying on the African Slave Trade will naturally avail themselves of this absence of all naval force. Under these circumstances, the Count de Reede will not be surprised that the British Government should express an anxiety that such arrangement may be made, as that the Coast of *Surinam* shall not for want of Netherland Cruizers be in future exposed, as it now appears to be, to the open incursions of illegal Slave Traders.

The Undersigned regrets that he cannot conclude this Note without referring to information that has reached his Government, respecting *sixty-nine* newly-imported African Slaves, who, either for want of sufficient zeal on the part of the Fiscal of *Surinam*, or from the negligence or connivance of persons employed under him, have not

been discovered. The parties accused of importing these Slaves have also escaped, because no decisive measures were taken by the Fiscal, on whom this duty rested, to secure them. A Proclamation was indeed issued citing them to appear, but this citation, as they had rendered themselves liable to a fine of 5000 guilders, and five years' imprisonment, has, as might have been expected, been totally disregarded, and no reward was offered for their apprehension, or for that of the Slaves whose importation they had effected.

The Dutch Government being apprized by this statement that the Fiscal at *Surinam* has not fulfilled with the zeal which the occasion required, the just intentions of The King of The Netherlands, the Undersigned has the satisfaction to believe that Instructions will be issued, which shall for the future ensure a more effectual enforcement of the Decrees of His Netherland Majesty, for the abolition of the Slave Trade.

*His Excellency The Comte de Reede.*

GRANVILLE.

(*Enclosure 2.*)—*Viscount Granville to The Comte de Reede.*

*The Hague, May 25, 1824.*

THE Undersigned, &c. has the honour to inform M. Le Comte de Reede, that His Britannic Majesty's Government has received a Report from the British Commissary Judge at *Surinam*, by which it appears that the Regulations of the Netherland Government with respect to their Cruizers upon that Station, are of a nature to discourage the Capture of Ships suspected of being engaged in the illicit Traffic of Slaves.

It is stated, that in the event of the release of any Vessel which may have been detained upon suspicion of Slave Trading, the Commander of the Ship of War, by whom such detention may have been caused is exposed to an action for *Damages*; whilst on the other hand, no compensation for that risk is allowed to him, by any *Bounty* or *Prize Money*, in the case of the Vessel being condemned: it cannot be matter of wonder, that where no advantage can be gained, and where great loss may be incurred, there should be little alacrity in detaining suspected Vessels.

The Undersigned has received Instructions from his Court, to call the attention of the Minister for Foreign Affairs to this subject; to inquire from His Excellency, whether the Report of the British Commissary Judge concerning these Regulations is substantially correct; and if it be so, to represent that such Regulations must necessarily defeat the object which it is intended to obtain, by furnishing National Cruizers with Instructions under the Treaty of 1818.

The Undersigned, knowing the sincere and anxious desire of The King of The Netherlands to give full effect to the Stipulations of the Treaty above referred to, and to co-operate with His August Ally in



putting down this detestable Traffic in Slaves, relies with confidence upon the adoption by the Netherland Government of some new Regulations, which may render the interests of the Dutch Cruizers less inconsistent with the due execution of their duty, with respect to Ships suspected of being engaged in Slave Trading.

The Undersigned, &c.

*His Excellency The Comte de Reede.*

GRANVILLE.

*No. 62.—Mr. Secretary Canning to Viscount Granville.*

MY LORD,

*Foreign Office, July 5, 1824.*

I FORWARD to your Excellency, to be communicated to the Government of The Netherlands, a Copy of a Despatch which I have received from His Majesty's Commissioners at *Sierra Leone*, dated the 5th of April last, containing an account of the death of *M. de Marrée*, the Netherland Commissary Judge in the Court of Mixed Commission at that Place. The Netherland Government will see the urgency of supplying the place of *M. de Marrée* without delay as there is now no longer a Judge on the part of The Netherlands at *Sierra Leone*; the Judge Arbitrator, *M. Bonnouvrié*, having previously returned to Europe.

I am, &c.

*His Excellency Viscount Granville.*

GEORGE CANNING.

*No. 63.—Viscount Granville to Mr. Secy. Canning.—(Rec. July 16.)*

SIR,

*The Hague, July 13, 1824.*

I HAVE the honour to transmit to you the answer of The Comte de Reede, to the Note which I addressed to him on the 24th of May, relative to the Suppression of the Slave Trade on the Coast of *Surinam*.

In this answer will be found some explanation on the subject of the remarks I had made, on the insufficiency of the Dutch Naval Force on that Station, to prevent the fraudulent importation of Slaves; and also a justification of the Fiscal of the Colony, to whose negligent conduct, as represented by Mr. Lance, I had, in obedience to your Instructions, alluded.

His Majesty's Government will, I am persuaded, learn with great satisfaction from the concluding paragraph of Count de Reede's Note, that the adoption of more severe measures for the repression of the Traffic in Slaves, is at this moment under the consideration of His Netherland Majesty.

I have the honour to be, &c.

*The Right Hon. George Canning.*

GRANVILLE.

*(Enclosure 1.)—The Comte de Reede to Viscount Granville.*

*A la Haye, ce 12 Juillet, 1824.*

LE 24 Mai dernier, Son Excellence Lord Granville, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté Britannique, a fait

l'honneur d'adresser au Soussigné, Ministre des Affaires Etrangères, un office dans lequel, en transmettant une Dépêche du Juge Commissaire Anglais à *Suriname*, concernant la saisie de la Corvette *Française*, *La Légère*, avec un chargement d'Esclaves, Son Excellence exprime la satisfaction du Gouvernement Britannique de la conduite déployée en cette occasion par le Gouvernement de *Suriname*; mais appréhendant que les bonnes intentions ne puissent atteindre entièrement leur but, faute de Croiseurs des Pays Bas sur la Côte, Son Excellence y fait connaître le désir du Gouvernement Britannique, que des arrangemens ultérieurs à cet égard préviennent à l'avenir jusqu'à la possibilité des incursions des Négriers, et enfin ne dissimulant pas que le Fiscal, ou les employés étoient prévenus de ne pas avoir fait tout ce que l'on avoit droit d'attendre d'eux à l'occasion de l'introduction frauduleuse en 1823, de 69 Esclaves par un Français nommé *Fromentin*, le Gouvernement Britannique a la confiance que celui des Pays Bas ne refusera pas d'assurer par la transmission de nouveaux ordres, l'entière exécution de ceux déjà prescrits pour l'abolition du Trafic des Esclaves.

Cet office a été placé sous les yeux du Roi.—Autant que Sa Majesté y a vu avec plaisir l'éloge que par de nouvelles preuves de zèle et d'activité le Gouverneur de *Suriname* a su mériter du Gouvernement Anglais, autant l'exposé de l'insuffisance des moyens de répression contre l'introduction frauduleuse des Noirs, et surtout, les reproches graves contre le Fiscal, étoient de nature à faire naître des sentimens bien différens, aussi S. M. a ordonné que ces derniers points fissent de suite l'objet des recherches, et des rapports des Autorités compétentes.

Le resultat de leurs informations ayant été présenté à Sa Majesté, le Soussigné vient d'être chargé de le porter à la connaissance de Lord Granville.

A l'époque de l'incident de *La Légère*, la Corvette de Guerre des Pays Bas, *Le Kemphaan*, se trouvoit dans les eaux de *Suriname*, et l'absence momentanée de ce bâtiment, lors du débarquement furtif de 69 Esclaves, a été purement accidentelle, l'inconvénient signalé au Gouvernement Britannique concernant l'absence totale et prolongée de Croiseurs sur les Côtes de *Suriname*, perdra donc beaucoup de son importance; il est reconnu d'ailleurs combien la surveillance maritime la plus vigilante, peut quelques fois être mise en défaut. Cependant pour parer, autant que possible, à l'inconvénient dénoncé, on prendra des mesures, dont le but sera de maintenir à *Suriname* une Croisière constante, à l'aide d'un des batimens de Guerre, stationnés actuellement dans les Indes Occidentales, et qui, en tout cas, pourroit remplacer le départ éventuel du *Kemphaan*; l'attention du Ministre de la Marine vient d'être spécialement appelée sur cet objet.

Pour ce qui concerne les plaintes dirigées contre le Fiscal de *Suriname*, il conste des rapports reçus que de concert avec l'Arbitre Bri-

tannique, près le Tribunal Mixte à *Suriname*, tout a été mis en œuvre, pour parvenir à s'emparer des 69 Esclaves, introduits par le François susnommé. Aussitôt que l'on en eut connoissance, le Sr. Lance et le Sr. Guicherit, Secrétaire du Gouvernement, se rendirent, d'après l'invitation du Gouverneur à la plantation suspectée, et ce n'est que par l'absence d'une force armée sur les lieux, qu'ils se virent dans l'impossibilité de soutenir, avec l'énergie nécessaire, leur injonction à *Fromentin* de ne pas quitter l'endroit où il se trouvoit jusqu'à nouvel ordre : il ne restoit pour lors d'autre voye que celle d'une Enquête juridique au moyen d'une citation, et d'après le zèle que le Fiscal a déployé constamment dans l'exercice de ses fonctions, rien n'autorise à présumer qu'il s'en seroit écarté dans cette circonstance ; lié par les formes légales sa marche lui étoit tracée, et tout porte à croire qu'il l'a suivie.

Sa Majesté a donc eu la satisfaction d'acquiescer de nouvelles preuves que le Gouvernement de *Suriname* se fait un devoir de seconder les intentions bien connues du Roi, de maintenir loyalement et énergiquement l'exécution du Traité conclu entre les deux Royaumes ; mais Sa Majesté n'en est pas moins disposée à en renforcer les Stipulations par tous les moyens qui peuvent tendre à l'extirpation du Trafic honteux, dont il s'agit ; et le Gouvernement Anglais apprendra, sans doute avec intérêt, que, l'adoption ultérieure de mesures plus sévères et plus répressives forment en ce moment l'objet des délibérations de Sa Majesté.

Le Soussigné a l'honneur, &c.

*Son Excellence M. Le Vicomte de Granville.* W. F. DE REEDE.

No. 64.—*Viscount Granville to Mr. Secy. Canning.*—(Rec. August 6.)  
SIR, *The Hague, August 3, 1824.*

I RECEIVED on the 30th ult. your Despatch (Slave Trade) of the 5th, with the Copy therein enclosed, of a Letter from Messrs. Gregory and Hamilton, containing an account of the death of Monsieur *De Marrée*, the Dutch Commissary Judge at Sierra Leone.

I immediately transmitted a Copy of this Letter to Monsieur De Reede, and at the same time called His Excellency's attention to the urgent necessity of appointing, without delay, a Successor to Mons. De Marrée.

I have the honour to be, &c.

*The Right Hon. George Canning.* GRANVILLE.

No. 65.—*Mr. Secretary Canning to A. S. Douglas, Esq.*  
SIR, *Foreign Office, November 19, 1824.*

I HEREWITH transmit to you, for your information, a copy of Papers, marked A. and B., relative to the Slave Trade, which were pre-

sented to both Houses of Parliament, by His Majesty's command, in the course of last Session.

I have, &c.

A. S. Douglas, Esq.

GEORGE CANNING.

No. 66.—*Joseph Planta, Jun., Esq., to A. S. Douglas, Esq.*

SIR,

*Foreign Office, November 20, 1824.*

I AM directed, by Mr. Secretary Canning, to send to you, for your information, a copy of the Act, recently passed, for amending and consolidating the Laws relating to the Abolition of the Slave Trade.

I have, &c.

A. S. Douglas, Esq.

J. PLANTA, Jun.

No. 67.—*A. S. Douglas, Esq. to Mr. Secy. Canning.—(Rec. Nov. 21.)*

SIR,

*Brussels, November 15, 1824.*

HIS Majesty The King of The Netherlands, by a Message to the States-General, dated the 30th October, has thought fit to propose the amending and strengthening of the Penal Statutes of the Law of the 20th November, 1818, respecting the Abolition and Extinction of the Slave Trade. His Majesty, therefore, has presented to the States-General the Amendments proposed in the form of a *Projet*.

Of the Royal Message, together with the *Projet*, I herewith annex a printed Copy.

I have the honour to be, &c.

The Right Hon. George Canning.

A. S. DOUGLAS.

(*Enclosurc.*)—*Message of The King of The Netherlands to the States-General.*

NOBLES ET PUISSANS SEIGNEURS, *Bruxelles, le 30 Octobre, 1824.*

NOUS AVONS jugé nécessaire, pour la répression plus efficace de la Traite des Nègres, de renforcer les dispositions pénales contenues dans la Loi du 20 Novembre, 1818.

Le *Projet de Loi*, que nous présentons ici aux délibérations de VV. NN. PP. tend à cet effet. Nous prendrons, en outre, des mesures convenables pour les Colonies de l'Etat, afin de réprimer de plus en plus ce commerce, et en tout cas de faciliter la découverte des contrevenans.

Sur ce, NN. et PP. SS., Nous prions Dieu qu'il vous ait en sa sainte et digne garde.

GUILLAUME.

*Projet de Loi.*

NOUS, GUILLAUME, &c. &c. &c.

A TOUS ceux qui les présentes verront salut ! savoir faisons :

Ayant jugé convenable de prendre pour la répression et l'extinc-



tion de la Traite des Nègres, des mesures plus efficaces que celles contenues dans la Loi du 20 Novembre, 1818; à ces causes, Notre Conseil d'Etat entendu, et de commun accord avec les Etats-Généraux; avons statué et statuons :

Art. 1. Ceux qui se seront rendus coupables des faits énoncés aux Articles 1. et 2. de la Loi du 20 Novembre, 1818, seront punis d'une amende de 10,000 florins, et de quinze années de travaux forcés : seront, en outre, confisqués les batimens qui auront été employés au dit commerce illicite.

2. Les faits énoncés aux Articles 3. et 4. de la prédite Loi, seront punis de 5 années de réclusion.

3. N'est pas compris dans les exceptions prononcées par l'Article 5 de la prédite Loi, le transport ou l'importation dans les Colonies de Notre Royaume, d'Esclaves provenant des Colonies Etrangères, où leur importation directe d'*Afrique* est permise.

4. Les dispositions ultérieures de la Loi ci-dessus énoncée sont maintenues.

Mandons, &c.

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No. 68.—*Mr. Secretary Canning to A. S. Douglas, Esq.*

SIR, *Foreign Office, November 30, 1824.*

I HAVE received your Despatch of the 15th of November instant, enclosing the *Project* of a Law submitted to the States-General of The Netherlands, for amending and strengthening the Penal Statutes of the Law of November 20th, 1818, for the Abolition of the Slave Trade; and I have to desire that you will procure and send to me a Copy of the Law of the 20th November, 1818, therein referred to, for the information of His Majesty's Government.

I am, &c.

*A. S. Douglas, Esq.*

GEORGE CANNING.

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No. 69.—*A. S. Douglas, Esq. to Mr. Secy. Canning.—(Rec. Dec. 4.)*

SIR, *Brussels, November 27, 1824.*

I HAD the honour to receive last night your Despatch marked Slave Trade, dated November 19th, with a Copy of Papers marked A. and B., relative to the Slave Trade, presented to Parliament last Session.

I have, &c.

*The Right Hon. George Canning.*

A. S. DOUGLAS.

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No. 70.—*A. S. Douglas, Esq. to Mr. Secy. Canning.—(Rec. Dec. 13.)*

SIR, *Brussels, December 4, 1824.*

IN obedience to the desire expressed in your Despatch of the 30th November, marked Slave Trade, and which I received on the 3rd instant, I have now the honour to enclose to you, for the information of

His Majesty's Government, a Copy of the Belgian Law of November 20th, 1818, enacting Penal Statutes for the prevention of the Slave Trade.

I have the honour to be, &c.

*The Right Hon. George Canning.*

A. S. DOUGLAS.

(*Enclosure.*)—Loi du 20 Novembre, 1818, contenant des dispositions pénales pour empêcher et réprimer la Traite des Nègres.

NOUS, GUILLAUME, &c.

A tous ceux qui les présentes verront, salut ! savoir faisons :

AYANT pris en considération, non seulement que, par Notre Arrêté du 15 Juin, 1814, nous avons mis en œuvre des mesures préalables pour réprimer la Traite des Nègres ; mais encore que, par l'Article 8 du Traité du 13 Août, 1814, ainsi que par l'Article premier du Traité ultérieur du 4 Mai dernier, respectivement conclus avec La Grande Bretagne, Nous Nous sommes engagés d'une manière solennelle à réprimer et empêcher efficacement, par des dispositions pénales, ce commerce si déshonorant pour l'humanité :

A ces causes, Notre Conseil d'Etat entendu, et de commun accord avec les Etats-Généraux, avons statué, et statuons :

Art. 1. A compter de la publication de la présente Loi, il ne sera permis à aucun de Nos Sujets, et généralement à aucun individu qui se trouveroit dans l'étendue de Notre Royaume, de faire la Traite des Nègres, ni de prendre, directement ou indirectement, part à ce commerce, soit en armant ou équipant des vaisseaux ou navires à cet effet, ou en participant, au même effet, dans l'armement d'aucuns bâtimens, Nationaux ou autres ; soit en les frétant ou affectant sciemment pour cet usage ; soit en allant quérir ou acheter, vendant ou échangeant, et en introduisant ou faisant introduire, ouvertement ou d'une manière clandestine, des Nègres comme Esclaves, dans quelque Colonie ou Etablissement des Pays-Bas, situé hors de l'Europe, ou même dans des Colonies ou Etablissements Etrangers, à peine, pour les contrevenans et leurs complices, d'une amende de 5000 florins, et en outre de réclusion pour cinq années.

2. Seront punis des mêmes peines, les Capitaines de Navires, Pilotes et Sobrecargues qui auront pris service à bord d'un bâtiment, sachant qu'il étoit employé à la Traite des Nègres, et qui auront ainsi exercé ou favorisé ce commerce illicite, soit pour leur propre compte soit pour compte d'autrui.

3. Les matelôts et autres gens de l'équipage qui auront eu connaissance que le bâtiment sur lequel ils servent, étoit destiné à faire ou favoriser la Traite des Nègres, seront punis d'un emprisonnement de six mois au moins, et de deux années au plus. Ceux qui viendront à l'apprendre par la suite, sont dès ce moment quittes, et dé-

chargés de leur engagement, et ils seront tenus, sous la même peine, de quitter le service dès qu'ils pourront le faire sans danger.

4. La peine d'emprisonnement mentionné à l'Article 3, sera de même encourue par tous Assureurs, Courtiers de Navires et autres, qui auront assuré quelques vaisseaux ou navires, ou qui en auront favorisé l'affrètement en quelque manière que ce soit, sachant qu'il étoit destiné à la Traite des Nègres; en outre leur patente sera sur le champ supprimée sans qu'il puisse dans la suite, leur en être délivré de semblable.

5. Les dispositions pénales ci-dessus énoncées, ne seront néanmoins nullement applicables au cas où des Esclaves actuellement existans dans les Colonies, ou leurs enfans nés ou à naître, viendroient à être transportés dans les Indes Occidentales, soit d'une Colonie des Pays-Bas à une autre, ou d'une Colonie étrangère à une autre, ou d'une Colonie des Pays-Bas à une Colonie étrangère, ou d'une Colonie étrangère à une Colonie des Pays-Bas, ou enfin d'une Colonie quelconque dans les Indes Occidentales à une autre partie. Déclarons au contraire bien expressément que nul ne pourra, en aucune manière être inquiété à ce sujet, attendu que le dit transport n'est point compris dans les prohibitions de la présente Loi.

6. Pareillement les peines comminées par la présente Loi, ne pourront être rendues applicables à ceux qui auront sauvé et secouru quelque bâtiment chargé d'Esclaves se trouvant en détresse, ou bien qui auront reçu à bord des Esclaves embarqués sur un tel bâtiment, pourvu qu'à son entrée dans le premier port où il viendra à relâcher, le Capitaine ou Patron en fasse déclaration en bonne forme dans les vingt-quatre heures.

Mandons et ordonnons que la présente Loi soit inséré au Journal Officiel, et que nos Ministres et autres Autorités qu'elle concerne, tiennent strictement la main à son exécution.

Donné à Bruxelles, le 20 Novembre, de l'An 1818, et de Notre Règne le Cinquième.

Par Le Roi,

GUILLAUME.

J. G. de Mey Van Streekerth.

No. 71.—*Sir Charles Bagot to Mr. Secy. Canning.*—(Rec. Dec. 31.)  
 Sir, Brussels, Dec. 21, 1824.

I HAVE the honour to acquaint you, that the Projet of a Law, for amending and strengthening the Penal Statutes of the Law of November 20th, 1818, for the Abolition of the Slave Trade, referred to and enclosed in Mr. Douglas's Despatch (Slave Trade) of the 15th ult., passed the Second Chamber of the States-General unanimously on the 18th inst.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES BAGOT.

No. 72.—*Sir Charles Bagot to Mr. Secy. Canning.*—(Rec. Jan. 17th.)

SIR,

Brussels, 14th Jan. 1825.

ENCLOSED I have the honour to transmit to you the Copy of a Note which I have received from the Count de Reede, acquainting me, for the information of His Majesty's Government, that Monsieur *E. P. G. Bonnouvrié*, the Arbitrator in the Joint Court at Sierra Leone, for the suppression of the Slave Trade, has been appointed to the Office of Judge in that Court, in the room of the late *M. J. A. De Marrée*.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES BAGOT.

(Enclosure.)—*The Comte De Reede to Sir Charles Bagot.*

MONSIEUR LE CHEVALIER,

Bruxelles, le 10 Janvier, 1825.

J'AI l'honneur de porter à la connoissance de votre Excellence, pour l'information du Gouvernement Britannique, que Le Roi des Pays Bas vient de nommer Juge en la Cour Mixte pour la répression de la Traite, séante à Sierra Leone, en remplacement du feu Monsieur *J. A. De Marrée*, Monsieur *E. P. G. Bonnouvrié*, jusqu'ici Arbitre attaché à la même Cour.

Je prie votre Excellence d' agréer, &c.

*A Son Excellence Le Chevr. Bagot.*

W. F. DE REEDE.

No. 73.—*Mr. Secretary Canning to M. De Falck.*

Foreign Office, February 28, 1825.

THE Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, has the honour to state to His Excellency *M. De Falck*, Ambassador Extraordinary and Plenipotentiary from The King of The Netherlands, that the Instructions for Cruisers referred to in the Treaty for the prevention of Slave Trade, which was concluded between His Majesty and The King of The Netherlands on the 4th of May, 1818, have been issued to the following ships and vessels of His Majesty's Navy.

Ships' Names.	Guns.	Commanders.
<i>Dartmouth</i>	42	Hon. J. A. Maude.
<i>Atholl</i>	28	Jas. A. Murray.
<i>Esk</i>	20	W. J. Purchas.
<i>Ringdove</i>	18	Edwin L. Rich.
<i>Grecian</i> , cutter	10	Lt. John Cawley.

And that the Instructions which had been issued to His Majesty's ships "*Isis*, *Owen Glendower*, *Thetis*, *Eden*, *Driver*, and *Surinam*," have been recalled and cancelled.

The Undersigned, in requesting that *M. de Falck* will have the goodness to communicate this Information to his Court, begs His Excellency to accept the assurances of his distinguished consideration.

*His Excellency M. de Falck.*

GEORGE CANNING.



No. 74.—*A. S. Douglas, Esq. to Mr. Secy. Canning.*—(Rec. March 31.)  
 Sir, Brussels, March 25, 1825.

I HAVE the honour to enclose, for the information of His Majesty's Government, the Copy of a Note which I have received from The Comte de Reede, Minister for Foreign Affairs. It is in answer to a representation made to His Excellency by Lord Granville, on the 22d of last May, having in view to induce The Netherlands' Government to adopt some Regulation calculated to promote a more rigorous execution of the Instructions issued for the suppression of the Slave Trade, on the part of the Officers of The Netherlands' Marine.

I have the honour to be, &c.

*The Right Hon. George Canning.*

A. S. DOUGLAS.

(Enclosure.)—*The Comte de Reede to A. S. Douglas, Esq.*

Bruxelles, le 21 Mars, 1825.

Son Excellence le Vicomte Granville, a représenté au Soussigné, Ministre des Affaires Etrangères, qu'il serait à souhaiter que le Gouvernement des Pays-Bas prit quelques dispositions propres à déterminer les Officiers de sa Marine, munis d'Instructions pour la répression de la Traite, de veiller plus rigoureusement à leur exécution, qu'ils ne l'ont fait jusqu'ici, sans doute parcequ'ils sont exposés à des actions en dommages intérêts, si les vaisseaux soupçonnés viennent à être relâchés, tandis que par contre ces risques ne sont pas compensés ni par une gratification, ni par une prime quelconque, dans le cas où le vaisseau pris en fraude seroit condamné.

Cette représentation ayant été soumise à la décision du Roi des Pays Bas, Sa Majesté a trouvé qu'il y avoit lieu de l'accueillir. En conséquence elle vient de statuer, par Arrêté du 14 de ce mois, que désormais la quote-part du Gouvernement dans la saisie de vaisseaux des Pays-Bas ou Anglais faisant la Traite, dont la confiscation aura été prononcée par les Tribunaux Mixtes, sera adjugée aux Officiers et à l'Équipage des Batimens de la Marine des Pays-Bas qui les auront saisis, sauf toutefois déduction des frais d'administration du Tribunal de Sierra Leone. Sa Majesté a ordonné, en outre, que le produit net des vaisseaux négriers, qui sont pris en vertu de la Loi du 23 Dec., 1824, sera pareillement dévalu aux Officiers et Équipages des Bâtiments de Guerre des Pays-Bas, sans déduction de la quote-part qui, d'après les dispositions de l'Arrêté du 13 Decembre, 1818, devoit être prélevée au profit du Trésor.

Le Soussigné, chargé d'informer M. Douglas de ces dispositions qui donnent une nouvelle preuve du désir qu'a le Roi de maintenir les Stipulations du Traité de 1818, dans toute leur vigueur, saisit cette occasion, &c.

*Monsieur Douglas.*

LE COMTE DE REEDE.

No. 75.—*Mr. Secretary Canning to A. S. Douglas, Esq.*

SIR,

*Foreign Office, April 2, 1825.*

I HAVE received, and have laid before The King, your Despatch, marked Slave Trade, of the 25th of March, 1825. You will express to the Government of The Netherlands the gratification which The King has felt, at receiving this renewed proof of the honourable and humane desire of The King of The Netherlands to carry into full effect the Stipulations of the Treaty of 1818, which is afforded by the Decree which His Netherlands' Majesty has been pleased to issue, under date of the 14th of March, 1825, in favour of those Officers and Crews of The Netherlands' Navy who may capture Vessels illegally trading in Slaves.

I am, &c.

*A. S. Douglas, Esq.*

GEORGE CANNING.

No. 76.—*Joseph Planta, Jun., Esq. to A. S. Douglas, Esq.*

SIR,

*Foreign Office, April 4, 1825.*

I AM directed by Mr. Secretary Canning to desire that you will have the goodness to procure, and send to me for the use of this Office, six Copies of the Laws of The Netherlands on Slave Trade, of the 20th November, 1818, and of the 23d of December, 1824; and six Copies of the Decree of The King of The Netherlands on Slave Trade, dated March 14th, 1825, if that Decree be published separately.

I am, &c.

*A. S. Douglas, Esq.*

JOSEPH PLANTA, JUN.

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## F R A N C E.

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No. 77.—*Sir Charles Stuart to Mr. Secy. Canning.—(Rec. May 20.)*

SIR,

*Paris, May 17, 1824.*

THE *American* Minister informs me that, in his first communications with the *French* Ministers, he has endeavoured to carry into execution the Instructions, by which he is directed to press upon their attention the expediency of adopting the measures which are necessary to effect the complete Abolition of the Slave Trade. M. de Chateaubriand having merely detailed the difficulties to which the present state of opinion upon this subject is likely to give rise, Mr. Brown has intimated to me his intention to press for a more satisfactory answer, by recapitulating in an Official Note all the arguments which have been so repeatedly urged in favour of the measure.

Although the general Instructions of His Majesty's Government authorize me to take advantage of the opportunity, to shew to the *French* Ministers that a perfect understanding exists between the *British* and *American* Governments to labour for the attainment of this important object, by addressing a Note in the same sense to the Vis-

count de Chateaubriand, I am anxious to learn that this step will be approved by my Court before I venture to do so.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

*No. 78.—Mr. Secretary Canning to Sir Charles Stuart.*

SIR,

*Foreign Office, May 28, 1824.*

I TRANSMIT to your Excellency the Extract of a Letter from the Governor of *The Mauritius*, together with Copies of the Papers which he encloses, [Enclosures in No. 37] shewing that the Slave Trade is carried on to a great extent under the French Flag, on the *Eastern Coast of Africa*, and giving reason to conclude, that no effectual discouragement is offered to it on the part of the Governor of *Bourbon*.

I am to desire, that your Excellency will make to the Government of His Most Christian Majesty, a representation founded on the facts related in these Papers; and that you will urge them to issue such Orders as shall be best adapted for doing away the use of the French Flag, and French Capital, in the prosecution of this illegal and disgraceful Traffic.

I am, &c.

*The Right Hon. Sir Charles Stuart.*

GEORGE CANNING.

*No. 79.—Sir Charles Stuart to Mr. Secretary Canning.—(Rec. June 6.)*

SIR,

*Paris, June 3, 1824.*

IN obedience to the directions contained in your Despatch, marked Slave Trade, of the 28th ultimo, the accompanying representation, founded upon the details sent to England by the Governor of *The Mauritius*, has been addressed to Monsieur de Chateaubriand.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

*(Enclosure.)—Sir Charles Stuart to The Vicomte de Chateaubriand.*

SIR,

*Paris, June 1, 1824.*

THE Correspondence of His Majesty's Government with the British Authorities in *The Mauritius* and its Dependencies, shows that the traffic in Slaves between the *Eastern Coast of Africa* and the *Ile de Bourbon*, is carried on to a great extent, and that the Instructions given to the Governor of the latter Island have not induced him to adopt any measure which may prevent the use of the French Flag, and the employment of French Capital, in the prosecution of that Trade, though the circumstances which have been brought to light by the vigilance of British Officers have been communicated to him without reserve; and the Captain of one Slave-trading Vessel, which had touched at the Seychelles, has been sent to *Bourbon*, together with the witnesses, whose depositions offer undeniable proof of his crime.

The same Correspondence states, that on the 8th of November, 1823, fifteen thousand Spanish Dollars were embarked at *Bourbon*,

with the Charterer, M. Moncourt, in a small Vessel, for the purpose of being put on board the *Soleil*, a fine French Brig, mounting ten twelve-pounders, and a complement of thirty-six men, which Vessel was supposed to be at *Madagascar*, in the neighbourhood of *Tintingue* or *Antogil Bay*. Her destination was *Mosambique*, and she was to return to the Southward with her cargo of Slaves the beginning of January, or thereabouts.

About the latter end of October the *Soleil* was at anchor, between the Ports of *St. Denis* and *St. Paul's*, (Isle of *Bourbon*,) where the *Sylph*, French Man-of-War Schooner, ran down, and fired into her, upon which the *Soleil* cut her cable, and escaped by superior sailing.

There was also a fine fast-sailing Ketch, and another Vessel, under French Colours, in one of the Rivers or Bays, close to *Cape Delgado*, to the northward, procuring Slaves. The whole expedition being under the command of one man, and expected to sail in about a month, taking advantage of the northerly monsoon to come down the *Mosambique* Channel.

A new Schooner, of about 100 tons burden, under French Colours, was, at the same period, fitting out at *St. Denis*, for a Slaving Voyage, and expected to sail in about three weeks; she is sharp built aft, and has the appearance of a fast sailer.

Another French Schooner was to sail from *St. Denis*, for the purpose of procuring Slaves at *Tamatave*, or *Tintingue*, (*Madagascar*.) She appeared to be about eighty tons burden.

The *Tippoo Saib*, a French Brig, of 220 tons, was lying in the Roadstead of *St. Denis*, in treaty for freight to bring Slaves. Her owner required 20,000 Spanish Dollars, and it will take more than that sum to load her. She is well armed, and is reported to be a fast sailer.

The "*Hirondelle*," French Schooner of ninety tons burden, Owner Mons. Le Brec, landed 168 Slaves, about the 12th of October, between the Ports of *St. Denis* and *St. Paul's*, and was undergoing considerable repairs at *St. Paul's* preparatory to another voyage, having been on shore on one of the shoals in the neighbourhood of *Alphonse*, one of the Islands forming the *Amirantes*; she was with considerable difficulty got off, and reached the Island of *Daros*, remained there twenty-eight days, to repair, and refresh her Slaves. She had Arab Papers and Colours on board, and intended to have made use of them, in the event of falling in with any English Cruisers. Almost all Slave Vessels, during the southerly monsoon, touch at some of the *Amirantes*, and afterwards pass to the northward of *Cargados*.

Under these circumstances, I am directed to express the hope of my Government, that His Most Christian Majesty will either send fresh orders, or will confirm the orders already transmitted to the Governor of the Isle de *Bourbon*, which may induce him to take effectual measures to prevent the violation of the Laws against the crime of



Slave-trading, and the degradation of His Most Christian Majesty's Flag, by affording protection to Vessels engaged in such commerce.

I have, &c.

H. E. *The Vicomte de Chateaubriand.*

CHARLES STUART.

No. 80.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. June 13.)

SIR,

Paris, June 10, 1824.

I ENCLOSE the Copy of a Note addressed to me by M. de Villèle, acknowledging the receipt of my Representation against the continuation of the Slave Trade between the Ile de *Bourbon*, and the Coast of *Africa*.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(*Enclosure.*)—*M. de Villèle to Sir Charles Stuart.*

MONS. L'AMBASSADEUR,

Paris, le 8 Juin, 1824.

J'AI pris connaissance de la Lettre que V. Exce. a adressé le 2 de ce mois au Ministère des Affaires Etrangères, relativement à plusieurs Bâtimens Français, soupçonnés de se livrer à la Traite des Noirs. Le Gouvernement du Roi s'empressera de prendre à cet égard des renseignements, en faisant usage de ceux que Votre Exce. a bien voulu lui transmettre.

J'ai l'honneur, &c.

S. E. *Sir Charles Stuart.*

J. DE VILLELE.

No. 81.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. July 1.)

SIR,

Paris, June 28, 1824.

I ENCLOSE an Article which appeared in the *Moniteur* of the 26th instant, announcing the capture of the Ship *Telegraph*, engaged in the Slave Trade off *Gallinas*, on the Coast of *Africa*.

The *Moniteur* of the 27th also contains an Article, announcing the Judgment of the Court of Appeal at *Cayenne*, which condemns the Ship *Agobar*, engaged in the same traffic.

I have the honour, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(*Enclosure 1.*)—*Extract from the Moniteur of the 26th June, 1824.*

La Station Navale de la Côte d'Afrique a capturé dans la Rivière "Gallinas," le Brick du Commerce le *Télégraphe*, qui paraît y avoir été employé à la Traite des Noirs.

Ce bâtiment est arrivé le 7 Avril à Cayenne, sous le commandement d'un Élève de Marine détaché de la Corvette du Roi *l'Hébé*.

Les Tribunaux allaient être saisis de cette affaire.

(*Enclosure 2.*)—*Extract from the Moniteur of the 27th June, 1824.*

PAR ARRÊT du 16 Mars, 1824, la Commission Spéciale d'Appel de la Guyane Française, confirmant un jugement du Tribunal de Première

Instance de *Cayenne*, a prononcé la confiscation du navire *l'Agobar* de Nantes, et l'interdiction de son Capitaine le Sieur Mourailleau, pour contravention à la Loi prohibitive de la Traite des Noirs.

Le Sieur Mourailleau s'est pourvu en cassation.

No. 82.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. July 1.)  
(Extract.) Paris, June 28, 1824.

THE Minister from The United States of America has announced to M. de Villèle, that his Instructions authorize him to negotiate a Convention, for the purpose of uniting the endeavours of the two Governments to effect the complete abolition of the Slave Trade, which he is desirous to ground upon the principles recognised in the Treaties with Great Britain upon the same subject.

The recognition of a mutual right of search under certain restrictions, and the promulgation of Legislative Enactments, declaring this crime to be Piracy, being the basis of this proposition, it was not to be expected that the overtures of the American Minister would be very cordially received by M. de Villèle. I was, therefore, fully prepared to hear from the American Minister, that this communication had not led to a satisfactory result, since M. de Villèle declared that the urgent representations of the British Government upon this subject, had given a colour to the question which does not leave him at liberty to follow the course he could desire.

Under these circumstances, I availed myself of an opportunity to observe to M. de Villèle, that no alternative remained but for the French Ministers to take the lead in the Negotiation, and to press other Powers to effect the Abolition with the same zeal which had distinguished the Governments of Great Britain and America. This he said was rendered impossible by faults already committed, which compelled him to confine his efforts to the execution of the Laws which have already been enacted, by encouraging the zeal of the Officers to intercept the Slave Traders at sea, and by enforcing the application of the penalties incurred by those who may be convicted before the Tribunals of participation in such undertakings.

As I believe he repeated the same language more fully to the American Minister, this overture will at least serve to shew the new difficulties with which the friends of the Abolition have to contend.

*The Right Hon. George Canning.*

CHARLES STUART.

No. 83.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. July 18.)  
SIR, Paris, July 15, 1824.

The accompanying article of the *Moniteur* announces the condemnation of the Ship "*Raphael*" at the *Ile de Bourbon*, for being engaged in the Slave Trade.

I have the honour to be, &c.,

*The Right Hon. George Canning,*

CHARLES STUART.

(*Enclosure.*)—*Extract from the Moniteur of July 15, 1824.*

PAR ARRÊT du 9 Février, 1824, le Conseil de Révision de l'Île de Bourbon a prononcé la confiscation du Navire le *Raphael*, de S. Malo, et l'interdiction du Sieur Lamy, son Capitaine, pour contravention aux dispositions prohibitive de la traite des Noirs.

No. 84.—*Mr. Secy. Canning to Sir Charles Stuart.*

SIR,

*Foreign Office, August 6, 1824.*

IN reference to former Correspondence, on the subject of Slave Trade carried on in Ports under the Dominion of France, I forward to your Excellency the extract of a Letter from *Gaudaloupe*, containing some additional facts respecting the Trade in Slaves carried on in that Island, and one instance, *La Louisa*, of peculiar atrocity, which seems to merit a rigid examination.

With the view of such examination, you will communicate the Paper in question to the French Government, expressing a hope that the Delinquents will be punished with the severity which their conduct shall appear to deserve.

I am, &c.

*The Right Hon. Sir Charles Stuart.*

GEORGE CANNING.

(*Enclosure.*)—*Extract of a Letter from Gaudaloupe, dated—May, 1824.*

Vous avez ici incluse une Note qui atteste la continuation des cruautés contre les malheureux Africains. Je vous en garantis l'authenticité. Il y a de fortes Croisières établies contre les Négriers ; mais ils s'en moquent et arrivant toujours. On pourrait presque dire que des Croiseurs les protègent.

La Goëlette *La Louisa*, Capitaine Armand, est arrivée à L'Anse à la Barque, quartier de St. Anne, *Guadeloupe*, dans les premiers jours du mois d'Avril 1824, avec une cargaison de 200 Nègres, restant d'une traite de 275 qu'elle avait à bord. Le bâtiment ne pouvant comporter un si grand nombre d'hommes, le surplus a été jeté vivant à la mer par le Capitaine. La nature frémit encore de cette atrocité. Les principaux armateurs sont MM. de Rancé et Compagnie ; et les intéressés MM. Moses Hart et Compagnie, Pedemonte, tous négocians à la Pointe à Pitre.

Le Capitaine Armand dit avoir quitté à la Côte de *Galines* ;

1. Le navire *La Sabine*, Capitaine Auvernay, appartenant au port de Bourdeaux, armé à la Pointe à Pitre par MM. G. Segond et Fils.

2. Le Brig *Auguste*, Capitaine Allair, armé à la Pointe à Pitre par MM. Vergnus et Lemoyne, Dourneau, Duclos, Lamoisse et Darusse, et Burtet et Collineau.

3. La Goëlette *La Daphne*, Capitaine Maresten ; armateurs MM. Dourneau et Duclos ; armée aussi à la Pointe à Pitre.

Il semble dès lors, que la défense n'a été faite que pour encourager le crime.

No. 85.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. Aug. 15.)  
SIR, Paris, August 12, 1824.

IN obedience to the directions contained in your Letter of the 6th Instant, I have addressed the representation I enclose, to the French Government, upon the subject of the continuation of the Slave Trade in the Island of *Guadaloupe*, and on the following day I received the answer from The Baron de Damas which I have likewise the honour to forward.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(Enclosure 1.)—*Sir Charles Stuart to The Baron de Damas.*

SIR, Paris, August 10, 1824.

I FORWARD to your Excellency the Extract of a Letter from *Guadaloupe* containing some additional facts respecting the Trade in Slaves carried on in that Island; and one instance, *La Louisa*, of peculiar atrocity which seems to merit a rigid examination.

I am directed to express the hope that the Delinquents will be punished with the severity which their conduct shall appear to deserve.

I have the honour to be, &c.

*His Excellency The Baron de Damas.*

CHARLES STUART.

(Enclosure 2.)—*The Baron de Damas to Sir Charles Stuart.*

MONSIEUR L'AMBAassadeUR, Paris, le 11 Août, 1824.

J'AI reçu la Lettre que V. Excellence m'a fait l'honneur de m'écrire, et l'Extrait que vous y avez joint d'une Lettre de *La Guadeloupe* relative à la conduite du Commandant de la Goëlette *La Louisa*.—Je me suis empressé d'en donner sur le champ communication au Ministre de la Marine. Vous ne devez pas douter, Monsieur L'Ambassadeur, que le Gouvernement du Roi, n'éprouve une profonde indignation au récit des faits atroces qui y sont rapportés et que je vous remercie de m'avoir fait connaître. Ils seront de la part du Ministère l'objet de l'enquête la plus étendue et la plus sévère, ainsi que les trois autres bâtimens que signalent les mêmes renseignements.

J'ai l'honneur d'être, &c.,

*Son Excellence Sir Charles Stuart.*

LE BARON DE DAMAS.

No. 86.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. Aug. 22.)  
SIR, Paris, August 19, 1824.

The French Minister, The Baron de Damas, has addressed me the Note of which I enclose a Copy, pointing out several instances in which the Laws abolishing the Slave Trade have been violated by Persons sailing under the protection of the British Flag.

Though I am well convinced that he will be unable to support an argument which is brought forward rather for the purpose of repelling my repeated complaints, I cannot doubt that His Majesty's Govern-



ment will think it necessary to give such full information as may set the matter completely at rest.

I have the honour, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(Enclosure.)—*The Baron de Damas to Sir Charles Stuart.*

MONSIEUR L'AMBASSADEUR,

*Paris, le 16 Août, 1824.*

DES renseignements récemment parvenus au Gouvernement du Roi, signalent comme faisant la Traite des Noirs, les Navires Anglais dont les noms suivent :

1. *Le St. George*, Capitaine Michel Graiffer, rencontré le 17 Février, près du *Cap de Palmes*, ayant à bord une trentaine de Noirs à la chaîne.

2. *Le Caledonian*, de Londres, Capitaine Bing ; les formes, l'installation de ce bâtiment, et toutes les circonstances de son armement, ne laissent aucune doute sur sa destination.

3. *Le Ranger*, de Londres, rencontré le 16 Avril, entre les Caps de Monte et de Mesurado, ayant à bord un assez grand nombre de Noirs entièrement nus.

Je crois entrer dans les vues de votre Gouvernement qui sont également celles du Gouvernement de Sa Majesté, en communiquant à V. Excellence ces détails, qui peuvent mettre sur la voie pour parvenir à des informations plus positives.

J'ai l'honneur d'être, &c.,

*Son Excellence Sir Charles Stuart.*

LE BARON DE DAMAS.

No. 87.—*Mr. Secretary Canning to Sir Charles Stuart.*

SIR,

*Foreign Office, August 24, 1824.*

I HAVE received and laid before The King Your Excellency's Despatch of the 19th Instant, conveying a statement from the French Government that Three English Vessels, the *St. George*, the *Caledonian*, and the *Ranger*, have recently been met with, concerned in the illegal Traffic in Slaves.

His Majesty commands me to desire that your Excellency will thank the French Government for this Communication, and acquaint them that the most rigid enquiry will be instituted without delay, into the circumstances of the transactions mentioned, with a view of punishing the British delinquents, if any, with the severity to which they are subjected by the Laws of this Country for the Crime of carrying on the Slave Trade.

I am, &c.

*His Excellency Sir C. Stuart.*

GEORGE CANNING.

No. 88.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. Aug. 29.)

SIR,

*Paris, August 26, 1824.*

I RECEIVED yesterday the accompanying Letter from The Baron de

Damas, in answer to my representations respecting the violation of the Laws for the suppression of the Slave Trade in the Island of Guadeloupe.

This answer shows a more decisive inclination to put down the Slave Trade than any of the Communications I have received upon the same subject.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(Enclosure.)—*The Baron de Damas to Sir Charles Stuart.*

MONSIEUR L'AMBASSADEUR,

*Paris le 23 Août, 1824.*

LE Gouvernement du Roi s'est empressé de faire usage des renseignements que votre Excellence m'a fait l'honneur de m'adresser le 10 de ce mois, sur la conduite du Capitaine du Navire "*La Louisa*," prévenu de se livrer à la Traite des Nègres. Le Ministre de la Marine, ainsi que je l'annonçais à votre Excellence par ma réponse du 11, a donné des ordres pour qu'une enquête sévère fut faite à la Guadeloupe relativement au fait atroce imputé à ce Marin.

Des Instructions ont également été adressées dans les Ports du Royaume pour atteindre les Capitaines et Armateurs des trois autres Navires qui signalaient les mêmes renseignements.

J'ai l'honneur d'être, &c.

*Son Excellence Sir Charles Stuart.*

LE BARON DE DAMAS.

No. 89.—*Lord Francis Conyngham to Sir Charles Stuart.*

SIR,

*Foreign Office, August 30, 1824.*

MR. Consul-General Morier, having communicated to this Office some information, which he has received from Mr. Consul Barnes respecting the Slave Trade; Mr. Morier has been directed to make a Report upon the subject, to your Excellency; and Mr. Canning has desired that I will acquaint your Excellency with the circumstance, and intimate to you Mr. Canning's desire, that, as soon as you shall have received the Report, you will found, upon the points contained in it, such a Representation to the French Government, as the facts that appear will justify.

I have, &c.

*His Excellency Sir Charles Stuart.*

F. CONYNGHAM.

No. 90.—*Sir Charles Stuart to Mr. Secretary Canning.*—(Rec. Sept. 2.)

SIR,

*Paris, August 30, 1824.*

THE accompanying Publication announces a decision of the Court of Appeal in *Guadaloupe*, under date the 15th of May, confiscating the Ship "*La Jeune Adèle*," captured by a French Ship of War with a Cargo of 207 Slaves on board.

I have the honour, &c.,

*The Right Hon. George Canning.*

CHARLES STUART.

(Enclosure.)—Extract from the "*Gazette de France*," of Aug. 28, 1824.

LE 1<sup>er</sup> Mai, 1824, la Goëlette du Roi l'*Anémone*, faisant partie de la Station des Antilles, a capturé la Goëlette du commerce la *Jeune Adèle*, Capitaine Marestin, ayant à bord 207 Noirs de Traite. Un Arrêt de la Commission Spéciale d'Appel de la *Guadeloupe*, en date du 15 Mai, 1824, a prononcé la confiscation de la *Jeune Adèle* et de sa cargaison, et l'interdiction de son Capitaine.

No. 91.—Mr. Secretary Canning to The Prince de Polignac.

Foreign Office, September 3, 1824.

THE Undersigned, &c. has the honour to transmit to His Excellency The Prince de Polignac, &c. the accompanying Papers, upon the subject of the capture, by His Majesty's Sloop "*Delight*," of the French Vessel "*La Cécile*," employed in the Slave-Trade; and to request that His Excellency will be pleased to communicate them to his Court.

It appears that towards the latter end of last year the *Cécile*, under French and Arab Colours, was detained by Captain Hay of H. M. S. *Delight*, in consequence of his finding the "*Cécile*," in *Passandava Bay*, Madagascar, with a Cargo of Slaves.

Her Crew were carried by him to the Island of *Mauritius* and left there.

The Governor of The *Mauritius* on learning the unauthorized act, which had preceded their arrival in that Colony, sent them instantly to Bourbon, as being all French subjects, with the exception of the Mate, who was stated to owe allegiance to His Majesty.

The Governor of The *Mauritius* communicated at the time to the Governor of *Bourbon* what he knew on the subject of the capture; and it so happened that the *Cécile* herself put into *Bourbon* for provisions, and was taken possession of at once by the French Authorities: one hundred and eleven Slaves were yet on board of her; the remainder it appeared, had been taken out; but the British Commodore on the Station, Captain *Nourse*, on being apprized of the circumstances, declared that he should consider it to be his duty, after having ascertained the facts, to order the complete restitution of all the persons who had been removed from the Vessel.

So soon as an account of Captain Hay's conduct was received at the Admiralty, orders were sent out to the Officer commanding on the Cape Station, enjoining him, if the facts turned out as they had been represented, to deprive Captain Hay of the command of the "*Delight*," and to send him to England to account for disobedience of his Instructions, which positively enjoined him not to interfere with the French Flag.

His Most Christian Majesty will see, in all the details of this proceeding, a sincere anxiety, on the part of His Majesty, to disavow, and to remedy, the act of violation of the Flag of France, which appears to have been committed by one of His Officers.

But the *French Government* must perceive, in the circumstances attending the Vessel in question, and in the other facts communicated by Captain Nourse, that a Slave-Trade under the *French Flag* is still carried on in the East Indian Seas, and particularly in the Island of *Bourbon*, which Traffic calls loudly for the interference of the *French Government* at home to produce its entire suppression.

While therefore, the Undersigned is commanded by The King, his Master, to signify the regret with which His Majesty has witnessed the circumstances of the capture of the "*Cécile*," he is at the same time to express to The Prince de Polignac His Majesty's most earnest hope, that His Most Christian Majesty will be induced to send out to His Colonies such orders as shall be more effectual, than those already issued have proved, in the repression of this infamous Traffic, which is thus covered by His Most Christian Majesty's Flag, and carried on in His Most Christian Majesty's Territory.

The Undersigned, &c.

*His Excellency The Prince de Polignac.* GEORGE CANNING.

(Enclosure 1. A.)—*R. Wilmot Horton, Esq. to Joseph Planta, Jun. Esq.*  
SIR, *Downing Street, June 24, 1824.*

I AM directed by Earl Bathurst to transmit to you, for the information of Mr. Secretary Canning, the extract of a private Letter received from Sir Lowry Cole, dated *Mauritius*, 29th January last, reporting the capture of a small Schooner under *French* and *Arab* Colours, and commanded by a *Frenchman*, with a Cargo of 170 Slaves on board.

I am, &c.

*Joseph Planta, Jun. Esq.*

R. W. HORTON.

(Enclosure 1. B.)

*Licutenant-General Sir G. L. Cole to R. W. Horton, Esq.*  
(Extract.) *Mauritius, January 29, 1824.*

I TAKE this opportunity of mentioning, (as it is possible that representations may be made by the *French Government*) that Captain Hay, commanding H. M. S. *Delight*, has recently captured on the N. W. Coast of *Madagascar*, a small Schooner, under *French* and *Arab* Colours, with a Cargo of 170 Slaves on board. The Vessel in question, called the *Cécile*, was commanded by a *Frenchman*, who, with the Crew (except one of the mates, stated to have taken allegiance to His Majesty) I have sent to *Bourbon*, as being all *French* subjects.

I am sorry to say that the *Cécile* has not yet reached this Island; and Captain Hay having gone in search of her, I am unable to forward the particulars of this capture at the moment;—but immediately on his return, I will write fully on the subject. I have, in the mean time, communicated with Governor *Freycinet* on the occasion.

*R. Wilmot Horton, Esq.*

G. L. COLE.



(Enclosure 2, A.)—*J. W. Croker, Esq. to Joseph Planta, Jun. Esq.*  
 SIR, *Admiralty Office, August 11, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, a Copy of a Letter from Commodore *Nourse*, dated at the *Cape of Good Hope*, the 29th February last, with Copies of the two Letters therein referred to, received by that Officer from the Governor of the Isle of *Bourbon*, on the subject of a *French* Vessel called the *Cécile*, which was detained by Captain *Hay*, of His Majesty's Sloop *Delight*, in consequence of his finding her in *Passandava Bay, Madagascar*, with 132 Slaves on board; and which, having put into *Bourbon*, on her way to the *Mauritius*, has been taken possession of by the *French* Authorities; and I am at the same time to request you will acquaint Mr. Canning, that on receiving an account of Captain *Hay's* interference with the *French* Flag in the instance of this Vessel, My Lords sent out immediate orders to the Officer commanding on the Cape Station, if the facts should turn out to be as they appeared to their Lordships, to deprive Captain *Hay* of the command of the *Delight*, and to send him to England to account for his disobedience of their Lordships' positive directions, in thus interfering with the *French* Flag.

I am, &c.

*J. Planta, Jun. Esq.*

J. W. CROKER.

(Enclosure 2, B.)—*Commodore Nourse to J. W. Croker, Esq.*  
 (Extract.) *H. M. S. Andromache, Simon's Bay, Feb. 29, 1824.*

I HAVE the honour to forward, for the information of their Lordships, two Letters (preserving Copies) which I have received from the Governor of *Bourbon*, on the subject of the capture of the *Cécile*, *French* Schooner, with Slaves on board, in the Bay of *Passandavar*, on the N. W. Coast of *Madagascar*, by Captain *Hay*, of His Majesty's Sloop *Delight*. I shall consider it my duty, conformably to their Lordships' instructions, on being satisfied of the facts, as stated in the Governor of *Bourbon's* Letter, to order the complete restitution of all the Slaves and persons that were removed from the said Vessel.

You will perceive, Sir, an acknowledgment in the Governor of *Bourbon's* Letter, that their accredited Agent at *St. Mary's*, Monsr. *Sylvan Roux*, was in the practice of trafficking in Slaves: and that my suspicions of his so doing, on my visit to that Island, were well founded.

I have also positive information of a cargo of Slaves being landed not long since at *Bourbon*: and I have information of a considerable trade in Slaves being carried on in *French* Vessels to *Bourbon*, notwithstanding all the measures the Governor may take to suppress it.—And the *Soleil*, a fine *French* Brig, which I pointed out to him on my being at *Bourbon* as so engaged, is continuing that Traffic.

*J. W. Croker, Esq.*

JOSEPH NOURSE.

(Enclosure 2, C.)—*The Governor of Bourbon to Commodore Nourse.*  
(Cabinet Particulier, No. 1.)

M. LE COMMODORE, *St. Denis, Ile Bourbon, le 11 Jan. 1824.*

UNE Réclamation adressée à l'Agent Consulaire Français près le Gouvernement de *Maurice*, sous la date du 6 de ce Mois, et signée *Jules Mourgues*, me fait connoître que ce dernier a été conduit de *Madagascar* à l'*Ile Maurice*, avec quelques Individus, tous Français comme lui, par le Capitaine *Robert Hay* de la Marine Royale Anglaise, commandant la Corvette de S. M. B., le *Delight*; que le 8 Novembre dernier ce même Officier fit visiter et capturer le Brig Goëlette François *La Cécile*, dans la Baie de *Passandava*, Ile *Madagascar*; enfin que le dit Sieur Mourgues et ses Compagnons ont été rigoureusement incarcérés à l'*Ile Maurice*, et qu'ils sont encore détenus en prison.

Le droit de visite réciproque à l'égard des Bâtimens Français et Anglois n'ayant pas été convenu entre les Cabinets de nos deux Nations, l'acte du Capitaine *Robert Hay* exciteroit dès ce moment une Réclamation de ma part si je savois positivement que le Pavillon Blanc ont été le seul arboré sur *La Cécile* quand le *Delight* approcha de ce Navire.—Je dois donc me borner à consigner ici une protestation conditionnelle pour le cas où il seroit prouvé que le Pavillon du Roi de France auroit subi une violence réelle et que nul incident ne tendroit à justifier.

Que les Lois prohibitives de la Traite des Noirs aient été enfreintes par celui qui commandait *La Cécile*, c'est un fait d'autant moins douteux que cet Individu en convient formellement.—Mais la connoissance de ce fait appartient à nos Tribunaux, et je réclame à cet effet les Delinquans, le Navire la *Cécile*, sa cargaison, et généralement tout ce qui doit servir à l'instruction du Procès, et qui en cas de condamnation doit se trouver acquis aux Droits de Sa Majesté Très Chrétienne. Ainsi le veut le Droit des Nations, qui sur aucun des points énoncés n'a reçu de modification consentie entre la France et l'Angleterre.

L'esprit de justice qui Vous caractérise, M. le Commodore, ne me permet point de douter que ma Réclamation n'obtienne tout son effet auprès de votre autorité. Que si un obstacle quelconque s'opposoit à ce qu'elle fut prise en considération dans toute son étendue, je Vous prie de recevoir mes protestations contre tout ce qui se feroit en cette occasion de contraire à la dignité de La France et aux intérêts du Roi mon Maître. Je Vous prie également de recevoir les réserves que je fais pour toutes les Réclamations subséquentes auxquelles donneroit sujet une connoissance plus ample des actes de M. le Capitaine *Robert Hay* dans les circonstances dont il s'agit.

Je suis bien aise de Vous faire ici, M. le Commodore, une communication spontanée. J'y suis porté en voyant le ridicule système au moyen duquel le Sieur Mourgues s'est imaginé, qu'il justifieroit son

operation de Traite. Il a déclaré à notre Agent Consulaire à Maurice, qu'il s'étoit proposé de porter ses Noirs à l'Ile St<sup>e</sup> Marie, pour les offrir au rachat du Commandant particulier de notre Etablissement. Les Ordres de Sa Majesté Très Chrétienne, et mes Instructions conformes à ces Ordres ne seroient pas impunément méconnus. Il est prescrit au Commandant de *Ste. Marie* de ne traiter pour la redemption des Esclaves qu'avec les Chefs du pays et sans intermédiaire. Lui même est obligé de tenir un registre contenant les actes d'affranchissement avec toutes les circonstances qui garantissent, que le sort des engagés ne sera pas équivoque après l'expiration du terme assigné pour leur liberté absolue. Feu M. *Sylvain Roux* s'écarta de cette marche quand il racheta de quelques traitans de *Madagascar* des Esclaves qui leur appartenoient depuis longtems. Mais cette fausse manière d'agir lui occasionna de ma part du blâme, et des injonctions, et la mort l'a sauvé d'une justice plus sévère, que Notre Ministre de la Marine lui avoit destinée.

J'ai l'honneur d'être, &c.

A Mons<sup>r</sup>. le Commodore Nourse.

DE FREYCINET.

(Enclosure 2. D.)—The Governor of Bourbon to Commodore Nourse.  
(Cabinet Particulier, No. 6.)

M. LE COMMODORE, St. Denis, Ile Bourbon, le 26 Janvier, 1824.

LE 11 de ce mois j'ai eu l'honneur de Vous écrire au sujet de la saisie du Navire Français *La Cécile*, fait à *Madagascar* par M. le Capitaine *Robert Hay*. Je Vous informe aujourd'hui d'un incident qui modifie l'objet de cette communication. Le Navire *La Cécile* qui étoit une des causes des Réclamations, et des protestations contenues dans ma dite Dépêche, a été contraint de relâcher à *Bourbon*, parce qu'il manquoit de vivres. La Déclaration adressée à Notre Agent Consulaire à *Maurice*, par le Sieur *Jules Mourgues* et cent onze Noirs, qui étoient encore à bord quand ce Navire est venu sur la radè de *St. Paul*, constituoient l'indication à nos Lois prohibitives de la Traite. J'ai fait séquestrer le Bâtiment et sa cargaison, et nos Tribunaux prennent connoissance de cette affaire, qui n'eut pû être portée devant des Juges étrangers, sans violation des Traités actuellement en vigueur. Une partie de mes Réclamations ne subsiste donc plus. M. le Gouverneur de *Maurice* a satisfait à celle qui concernoit la détention du Sieur *Mourgues* et des autres François conduit de *Madagascar* à *Maurice* par M. le Capitaine *Hay*; et pour ce qui se rapporte au Navire *La Cécile*, le hazard vient de faire ce qu'eut fait assurément Votre justice. Mais selon M. *Murray*, aux Ordres duquel M. *Hay* avoit mis ce Navire, une partie de la Traite du Sieur *Mourgues* a été déposée au *Seychelles*; M. *Hay* en a pris lui même une autre partie sur la Corvette le *Delight*: Je maintiens à cet égard mes Réclamations. Je dois laisser également subsister la Note ci-dessus mentionnée.

du 11 de ce mois, en tout ce qui ne se trouve pas effacé par l'événement dont je viens de Vous entretenir.

M. Murray a cru devoir m'adresser une protestation au sujet de la saisie du Navire *La Cécile*, fait en vertu de mes Ordres: je ne doute point que Vous ne trouviez dans ma précédente Communication, et dans celle ci, une réponse péremptoire à cet acte de M. Murray.

J'ai l'honneur d'être, &c.

A. Monsr. Le Commodore Nourse.

DE FREYCINET.

No. 92.—Mr. Secretary Canning to The Prince de Polignac.

Foreign Office, September 3, 1824.

THE Undersigned, &c. in reference to the Letter from His Excellency The Prince de Polignac, &c. containing a complaint that a French Vessel, called the *Africaine*, was boarded and plundered on the 4th of March, 1823, off *Bissao*, by some Officers and Men belonging to His Majesty's Ship, *Owen Glendower*, has the honour to forward to His Excellency, the accompanying Copy of a Letter from Lieutenant *Clerkson* of the *Owen Glendower*, giving an account of the circumstances which took place on the occasion alluded to.

The Undersigned trusts that this detailed exposition of the facts of the Case, will be viewed by His Most Christian Majesty's Government, as a satisfactory answer to the complaints which have been made against the conduct of His Majesty's Officers in boarding the *Africaine*, and examining her Bill of Lading, which proceeding was had recourse to, solely for the purpose of ascertaining whether she was, as represented, a Portuguese Vessel engaged in the Slave Trade.

The Undersigned, &c.

His Excellency The Prince de Polignac.

GEORGE CANNING.

(Enclosure.)—Lieutenant Clerkson to Captain Filmore.

SIR, H. M. S. *Owen Glendower*, *Sierra Leone*, Dec. 17, 1823.

IN compliance with your request, I state to you the particulars that occurred when the division of boats from His Majesty's Ship *Owen Glendower*, under the command of Lieutenant *Ball*, boarded the Schooner *L'Africaine*, in the River *Bissao*, on the morning of the 4th of March, 1823.

Lieutenant *Ball* having invalidated, and I the second in command on that service, early on the morning of the 4th of March, the division of boats proceeded alongside the Schooner, laying at anchor in the River *Bissao*, having previously received information that she was a Portuguese engaged in the Slave Trade; that on boarding her the Papers were asked for, her hold was examined; there were no Papers on board, except a Bill of Lading; on ascertaining her to be French she was immediately quitted, no violence was offered, no threats made use of to the Captain, Super Cargo, or any of the Crew, no orders



were given to cut her cable, nor did any of the party cut, or make any effort to cut it; that none of the articles mentioned by the Captain of *L'Africaine*, elephants teeth, tobacco, preserved fruits, culinary utensils, &c. &c. were taken by any person belonging to the division of boats; if such articles had been taken, they could not have escaped the observation of the Officers. The whole statement is false and unfounded; and far from any violence being offered, as previously mentioned, the greatest attention was paid by those who boarded her to ask civilly for her Papers: as they were not on board, all that was done was simply to read the Manifest, and look at her cargo, which proving her to be French, she was immediately abandoned.

I have the honour to be, &c.

Captain Filmore.

EDWARD S. CLERKSON.

No. 93.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. Sept. 12.)  
SIR, *Paris, September 9, 1824.*

IN obedience to the directions contained in the Letter of the 30th ult. which I have received from Lord Francis Conyngham, I have the honour to enclose the Copy of a Note, which I have addressed to the Baron de Damas, grounded upon a Report which His Majesty's Consul at *Nantes* has sent to the Consul-General in this City, respecting the continuation of the Slave Trade in that Port, of which I likewise forward a Copy.

I have the honour, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(Enclosure 1.)—*Sir Charles Stuart to The Baron de Damas.*  
SIR, *Paris, September 9, 1824.*

THE anxiety which your Excellency has manifested, to obtain the information which is necessary to enable His Most Christian Majesty's Government to check the Slave Trade, induces me to call your Excellency's attention to the open violation of the Legislative Enactments against that Crime, which take place daily in the Port of *Nantes*.

The return of several Ships to that Port in the first week of August, after successful voyages, has given a new incitement to the Trade.

Eight Vessels, among which the *Alcide* is particularly mentioned, are fitting out in the above mentioned Port, and two, built expressly for that purpose, were launched in the second week of the same month.

It cannot be difficult for the French Government to ascertain the truth of this statement, which my duty compels me to carry to your Excellency's knowledge; and, if it should be confirmed, I trust that the desire to act up to the sentiments contained in your last Communication, will induce your Excellency to point out the expediency of

adopting the measures which appear necessary to check so great a mischief.

I have the honour, &c.

*His Excellency The Baron de Damas.*

CHARLES STUART.

(*Enclosure 2.*)—*Mr. Consul Barnes to Mr. Consul-General Morier.*

*Nantes, August 13, 1824.*

FRENCH Vessels continue to sail for The *Mauritius* without the necessary Certificate, and there are three now on the eve of sailing.

The Slave Trade increases; several have returned this week, having made successful Voyages.—There are *eight* Vessels now fitting out, one, the *Alcide*, the Vessel you made particular inquiry about in January last.—Two fine Vessels built expressly for that Trade were launched during the week.

*D. R. Morier, Esq.*

WILLIAM BARNES.

*No. 94.—Sir Charles Stuart to Mr. Secy. Canning.—(Rec. Sept. 19.)*  
SIR, *Paris, September 16, 1824.*

THE French Minister has acknowledged my representation, respecting the continuation of the Slave Trade in the Port of *Nantes*, by the Note of which I have the honour to enclose a Copy.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(*Enclosure.*)—*The Baron de Damas to Sir Charles Stuart.*

MONSIEUR L'AMBASSADEUR,

*Paris, le 13 Septembre, 1824.*

J'ai reçu la Lettre que votre Excellence m'a fait l'honneur de m'écrire relativement à plusieurs expéditions préparées dans le Port de *Nantes*, et qu'on suppose destinées à la Traite des Noirs. Je me suis empressé de transmettre ces renseignements au Ministre de la Marine; je l'invite de se faire rendre compte des faits, et, s'ils sont exacts, à prendre les mesures nécessaires pour en faire poursuivre les auteurs.

J'ai l'honneur d'être, &c.

*A Son Excellence Sir C. Stuart.*

LE BARON DE DAMAS.

*No. 95.—Mr. Secretary Canning to Sir Charles Stuart.*

SIR,

*Foreign Office, October 5, 1824.*

IN reference to my Despatch to your Excellency, marked Slave Trade, of the 24th August last, I furnish you with the accompanying Copies of two Letters from the Secretary to His Majesty's Treasury, which I have to desire that your Excellency will communicate to the Government of His Most Christian Majesty, with an assurance, that the King's Government will not relax in their efforts of search into the truth of the allegations concerning illegal Slave Trade, contained in the Note from The Baron de Damas to your Excellency of the 16th of August last; and that they will be glad to be enabled to com-

municate to His Most Christian Majesty's Government, the result of the steps which they are taking in this matter.

I am, &c.

H. E. Sir Charles Stuart.

GEORGE CANNING.

(Enclosure 1.)—George Harrison, Esq. to Lord Howard de Walden.

MY LORD, Treasury Chambers, September 14, 1824.

HAVING laid before The Lords Commissioners of His Majesty's Treasury, your Lordship's Letter of the 2nd Instant, with its Enclosures from Sir Charles Stuart, relative to the detention of three *English* Vessels, for being concerned in the illegal Traffic in Slaves,—I have it in command to acquaint your Lordship, for the information of Mr. Secretary Canning, that My Lords have issued directions to the Commissioners of the Customs to instruct their Officers at the several Ports to use all diligence in acquiring information concerning these Ships, and to act upon any sufficient evidence that they may obtain into the fact of their illegal trading.

I have, &c.

Lord Howard de Walden.

GEORGE HARRISON.

(Enclosure 2. A.)—George Harrison, Esq. to Lord Howard de Walden.

MY LORD, Treasury Chambers, October 2, 1824.

I HEREWITH transmit to you, by command of The Lords Commissioners, for the information of Mr. Secretary Canning, with reference to the Letter of this Board of the 14th Ult., respecting three *English* Vessels stated to have been lately engaged in the Slave Trade, Copy of a Letter from the Secretary to the Admiralty, (dated 9th ult.) on that subject.

I am, &c.

Lord Howard de Walden.

GEORGE HARRISON.

(Enclosure 2. B.)—John Barrow, Esq. to George Harrison, Esq.

SIR, Admiralty Office, September 9, 1824.

HAVING laid before My Lords Commissioners of the Admiralty your Letter of Yesterday's date, respecting three *English* Vessels, the *St. George*, *Caledonia*, and *Ranger*, which are stated to have been lately engaged in the Slave Trade; I am commanded by Their Lordships to acquaint you, for the information of The Lords Commissioners of His Majesty's Treasury, that My Lords have directed the Officer commanding His Majesty's Ships on the Coast of Africa, to use his endeavour to trace those Vessels, and to report the result of his enquiries; and My Lords suggest to the Lords of the Treasury the propriety of ascertaining from the Custom House, the owners, and destination of the said Vessels.

I am, &c.

George Harrison, Esq.

JOHN BARROW.

No. 96.—*Sir Charles Stuart to Mr. Secy. Canning.*—(Rec. Oct. 17.)  
SIR, Paris, October 14, 1824.

IN compliance with the directions contained in your Despatch, marked Slave Trade, of the 5th Inst. I have not failed to announce to M. de Damas, the anxious solicitude of His Majesty's Government, to trace the facts enumerated in his Letter of August 16th, respecting the violation of the Law for the suppression of the Slave Trade, by transmitting to His Excellency the enclosed Note which was accompanied by the several Letters contained in your Despatch.

I have the honour to be, &c.

*The Right Hon. George Canning.*

CHARLES STUART.

(Enclosure.)—*Sir Charles Stuart to The Baron de Damas.*

SIR, Paris, October 12, 1824.

I HAVE received the orders of my Government to assure your Excellency, that they will not relax in their efforts for searching into the truth of the allegations concerning illegal Slave Trade, contained in the Note your Excellency did me the honour of addressing to me the 16th of August last, and that they will be glad to be enabled to communicate the result of the steps which the accompanying Correspondence will show they are taking in this matter.

I have the honour, &c.

*His Excellency The Baron de Damas.*

CHARLES STUART.

No. 97.—*Mr. Secretary Canning to The Hon. A. Percy.*

SIR, Foreign Office, November 13, 1824.

I FURNISH you with the Extract of a Communication from the Commodore of His Majesty's Ships off the Coast of *Africa*, giving the account of a Slave Trade now carrying on under the Flag of *France*, with scandalous publicity upon that Coast.

The forbearance of His Majesty's Officers was highly praise-worthy, in not forcing themselves on board of the "*Louis*" when taunted by expressions calculated and evidently intended to irritate them.

On board of the *Sabine*, the Officers pointed out, voluntarily, in detail, to the British Officers, the apartments for the male and for the female Slaves, and every other circumstance on board, as it were in defiance and derision of our attempts to put an end to their illegal Traffic.

It is the earnest wish and hope of The King's Government, that the Era of the Reign of His Most Christian Majesty, may be signalized by some decisive measure, (for the suppression of practices which are a scandal to the Flag of France,) in co-operation with those of so many other Christian Powers, whose joint efforts have been directed to the Abolition of the Slave Trade.

I am, &c.

*The Honourable Algernon Percy.*

GEORGE CANNING.



(*Enclosure 1.*)—*Commodore Bullen to J. W. Croker, Esq.*  
(Extract.) *Cape Coast, Gold Coast, July 22, 1824.*

I LEFT *Accarah* on the 6th Ult. arrived at *Fernando Po* on the 10th, and remained there to complete my water and obtain firewood until the 14th, when I proceeded to cruize in the Bight of *Biafra*.

On the 15th I sent my launch, barge and pinnace, under the command of Lieutenant *Morton*, with directions to examine most minutely the *Bonny* with its branches, *Old Calabar*, *Cameroons*, and adjacent Coasts,—continuing in the Ship to cruize between *Cape Formosa* and the latter River, without falling in with any thing except the two *French Vessels* described in the enclosed List, which were boarded by me off the River *St. Nicholas*, two successive days after a chase of five or six hours, previous to their shewing any Colours. They were both evidently fitted up for the reception of Slaves, and as a cloak had cleared out for the Island of *St. Thomas* with a general cargo for trade (a mere pretence to which I find they all resort to save the honour of their Nation) with an intention of calling at the *Bonny*, as they stated, to obtain water and refreshments, but doubtless for the purpose of making arrangements for the reception of their cargo of human flesh: in this opinion I am more fully confirmed by the circumstances reported to me on the return of my boats.

*L'Aimable Henriette* had come direct from *St. Jago de Cuba*, laden most probably with *Spanish* property, at which place, it appeared by a reference to the log of her former voyage, she had disembarked her cargo in March last, at so early an hour as six, A. M. and in a very short space of time, without coming to an anchor. What could this have been but a cargo of Slaves? The examination was conducted in the mildest manner, and to prevent the shadow of a complaint, I caused the Papers of each to be endorsed to that effect.

To point out to their Lordships the extent and importance of the *French Slave Trade* in this quarter, I have enclosed a list of those boarded by my boats during their absence. They were fitted up with every thing necessary for the reception of their Slaves, and so little did they appear to fear detection, that the Officers of "*La Sabine*" voluntarily conducted our's over their Vessel, pointing out the different apartments for the males and females, and explaining every circumstance connected with it. Her Cargo was to consist of 500, which were then held in readiness for embarkation at a short distance from the Town; and it was reported, that in two or three days she was to take them on board and sail for *Bourbon*: and that their Lordships may be in full possession of every circumstance relating to them, I consider it my duty to state, that, on my boats proceeding to visit "*Le Louis*," then laying in the *Old Calabar* without any Colours hoisted, her Captain, (*Oiseau*) although he must have been fully aware they were *English* from their Colours, and their having visited the Vessel near

him, refused to allow of their coming alongside, at the same time making every preparation for resistance, arming and arranging his Crew on the forecastle, brandishing his sword, presenting his pistols, and using the most taunting and provoking expressions, daring and defying them to attempt it; being supported in his bravado by the consciousness that the strictness of the *English* Officers' orders would prevent their having recourse to force in boarding and visiting a Vessel under *French* Colours, he having hoisted them on the Officer expressing his determination to board in spite of resistance. The forbearance of the Officers in the boats under such trying circumstances was highly praiseworthy, as had they for one moment allowed their feelings to overcome the dictates of reason, fatal must have been the consequences to the *French* Vessel, and every one on board her. This occurrence took place in the presence of a numerous body of the Natives, who were collected on the shore anxiously watching the result, on whom the tendency of the impression that, to appearance, the *English* did not dare to attack, even an inferior force, must assuredly lessen that high opinion they at present entertain of the British Nation; and that such was the impression, the reproaches of the Natives to our men on landing, fully testified. Lieutenant *Morton*, however, desired her Captain to send his Papers to him, and he afterwards proceeded on board and examined her.

This merely points out to their Lordships under what painful circumstances a British Officer can attempt to perform his duty to his Country, when he is liable to the grossest insults from a set of wretches, engaged in this most inhuman and infamous Traffic, who know and feel they are protected and encouraged by their Government.

From what I have seen and heard, I think I may safely pronounce, that the whole of the Slave Trade in the Bight of *Biafra*, (considered its greatest nursery), carried on under the *French* Flag and in *French* Vessels, is incalculable.

Unless a mutual right of search is agreed on, or some effectual measures taken to preclude the *French* Vessels from openly, and to appearance legally participating in the Slave Trade, it must most positively increase to an alarming extent, as they have no enemy whatever to fear, and embark their Slaves boldly and openly, confident in their security; and it is natural to expect, that aware of these circumstances, the other Nations will no longer run a risk under their own Colours but employ the *French* Vessels as carriers.

The Captains of the English Palm-Oil Ships state, that, to their knowledge, the Slave Trade was never so briskly and extensively carried on as at present; thus, the efforts of His Majesty's Government to destroy and abolish this nefarious Traffic, are rendered null and void; and all the Treaties and Conventions entered into with the other Powers, at a great expence and sacrifice, fruitless and of no avail.

As my instructions positively forbid my interfering with Vessels under the *French* Flag, even should I meet them at sea with a cargo of Slaves on board; and as their Lordships must be fully aware, that the mere hoisting of a White Ensign, cannot satisfy a British Officer as to the Nation of that Vessel, but that it becomes his bounden duty to have more certain and positive proof that no fraud has been committed, taking care always to conduct the examination in the most mild and gentle manner, to prevent the possibility of a complaint of a breach of the good harmony subsisting between friendly Nations, their Lordships must perceive how very delicately I am situated; and I have therefore presumed to suggest for their attention and consideration, whether some mode may not be adopted to check this daring and growing evil, and whether there appears to them the slightest probability of the French Nation being brought to permit of our seizing such Vessels, so boarded under suspicious circumstances, and found with a cargo of Slaves actually on board and intended for Trade, and sending them with the whole of their Crews and Cargoes untouched to *Goree* for trial; the said Capture not to entitle the Captor to any reward. What has more particularly influenced me in this proposition, is the fact, that I have neither seen nor heard of any French Man-of-War being on this Coast since my arrival.

*J. W. Croker, Esq.*

C. BULLEN.

(Enclosure 2.)

RETURN of French Vessels boarded by H. M. S. Maidstone  
between 5th June, and 20th July, 1824.

Date	Place	Name of			How rigged	Number of				Where		Belong- ing	Cargo	Remarks
		Vessel	Master	Owner		Men	Guns	Tons	Days out	From	Bound			
17th June	Off the River St. Nicholas	La Théonie	Bouchet	LeMercier	Schooner	22	4	154	50	Nantes	Isle of St. Thomas	Nantes	General Cargo for Trade	Intended to call at the Bonny for Water and Refreshments
18th July	In the Bight of Biafra	L'aimable Henriette	Boissel	Chardon-neau	Brig	20	4	138	58	Santiago de Cuba	Do.	Do.	Do.	

CHARLES BULLEN, Commodore.

(Enclosure 3.)—RETURN of French Vessels boarded by the Boats of H. M. S. Maidstone, during their absence from that Ship, between the 15th and 26th June, 1824.

Date	Place	Name of			How rigged	Number of			Days out	Where			Cargo	Remarks
		Vessel	Master	Owner		Men	Guns	Tons		From	Bound	Belonging		
June 16	River Bonny	Orphée	Coquet	—	Ship	50	10	350	90	Nantes	Seychelles	Nantes	Palm Oil	The whole of the French Vessels are evidently fitted for Slaves and will take away in all it is conjectured, about 3,000.
—	—	Diligence	Auger	—	Brig	23	2	198	120	—	Isle of France	Do.	—	
—	—	La Pauline	Planté	—	—	22	4	186	730	St. Thomas	St. Thomas	Bordeaux	—	
—	—	La Sabine	Freton	—	Ship	32	2	269	300	Havannah	Do.	Do.	—	
—	—	L'Hyppolyte	Boyrie	—	Schooner	13	1	95	120	Martinique	Martinique	Martinique	—	La Sabine fitted for 28 Female & 30 Male Slaves, 300 or more are, I understand, ready
—	—	La Caroline	Hurit	Brigand	—	11	—	53	90	Do.	Do.	Do.	—	
—	—	L'Atalante	Pomfont	Suli	—	15	2	101	90	Do.	Brazils	Do.	—	
18	—	La Théonie	Boarded previously by H.M.S. Maidstone		—	—	—	—	—	—	—	—	—	L'Atalante pillaged by Constitutional Brig 14 guns, from The Havannah, which cruizes of the Cuman Islands.
22	Old Calabar	Le Louis	Oiseau	—	Brig	23	6	206	—	Guadeloupe	Princes Island	—	—	
—	—	L'aimable Henriette	Boarded previously by H.M.S. Maidstone		—	—	—	—	—	—	—	—	—	

CHARLES MORTON, Lieutenant.

No. 98.—Mr. Secretary Canning to Viscount Granville.

MY LORD,

Foreign Office, November 19, 1824.

I HEREWITH transmit to your Excellency, for your information, a Copy of Papers, marked A. and B. relative to the Slave Trade, which were presented to both Houses of Parliament by His Majesty's command, in the course of the last Session.

I am, &c.

His Excellency Viscount Granville.

GEORGE CANNING.

No. 99.—Joseph Planta, Jun. Esq. to Viscount Granville.

MY LORD,

Foreign Office, November 20, 1824.

I AM directed by Mr. Secretary Canning to send to your Excellency, for your information, a Copy of the Act recently passed, for amending and consolidating the Laws relative to the abolition of the Slave Trade.

I have the honour, &c.

His Excellency Viscount Granville.

J. PLANTA, Jun.

No. 100.—Viscount Granville to Mr. Secy. Canning.—(Rec. Nov. 25.)

SIR,

Paris, November 22, 1824.

I have the honour to acknowledge the receipt of your Despatch of the 13th instant, marked Slave Trade, directed to Mr. Percy.



I enclose a Copy of a Note which I addressed in consequence to the French Minister for Foreign Affairs, on the subject of this disgraceful Traffic, now carrying on under the Flag of *France* upon the Coast of Africa, transmitting at the same time to His Excellency, Copies of the Papers enclosed in the above-mentioned Despatch.

I have the honour to be, &c.

*The Right Hon. George Canning.*

GRANVILLE.

(*Enclosure.*)—*Viscount Granville to The Baron de Damas.*

MONSIEUR LE BARON,

*Paris, November 20, 1824.*

It is painful to me to begin my Official Communications with your Excellency, by the transmission of the enclosed Papers, which contain a detailed account of the Slave Trade, now carrying on under the Flag of *France* with scandalous publicity upon the Coast of *Africa*.

Your Excellency will observe that His Britannic Majesty's Officers acted with a most praiseworthy forbearance, in not forcing themselves on board the Vessel, "*The Louis*," when taunted by expressions, calculated, and evidently intended to irritate them.

On board of the *Sabine*, the Officers pointed out voluntarily and in detail to the British Officers, the apartments for the male, and female Slaves, and every other circumstance on board, as it were in defiance and derision of our attempts to put an end to their illegal Traffic.

I am specially charged to express the earnest wish and hope of my Government, that the Era of the Reign of His Most Christian Majesty Charles the Tenth, may be signalized by some decisive measures, (for the suppression of practices which are a scandal to the Flag of France) in co-operation with those of so many other Christian Powers, whose combined efforts have been directed to the abolition of the Slave Trade.

I have, &c.

*His Excellency The Baron de Damas.*

GRANVILLE.

No. 101.—*Viscount Granville to Mr. Secy. Canning.*—(*Rec. Nov. 28.*)

SIR,

*Paris, November 24, 1824.*

I HAVE the honour herewith to enclose a Copy of a Note which I received yesterday from The Baron de Damas, Minister for Foreign Affairs, in answer to the one I transmitted to him on the 20th of this month, on the subject of the trading in Slaves, now carried on under the *French* Flag, on the Coast of *Africa*.

His Excellency expresses therein the deep interest which the Government of France takes in the entire abolition of this odious Traffic, and their determination to abide by the regulations for its destruction; proofs of which are to be found in the Sentences that have lately been awarded by the different Tribunals when the facts have been proved, and in the activity of the Prosecutions instituted against this species of speculation. And although it has happened more than

once that the information transmitted upon this subject has not been exempt from exaggeration, still His Excellency will not listen with less interest to the Communications which may be made to him upon this subject, and will receive with readiness any thing, which upon so important an object shall tend to insure the ends of Justice.

I have, &c.

*The Right Hon. George Canning.*

GRANVILLE.

(*Enclosure.*)—*The Baron de Damas to Viscount Granville.*

MONSIEUR L'AMBASSADEUR,

*Paris, le 23 Novembre, 1824.*

J'AI reçu avec la Lettre que votre Excellence m'a fait l'honneur de m'écrire, le 20 de ce Mois, les pièces qui l'accompagnaient, et qui signalent plusieurs Batimens *Français* prévenus de se livrer à la Traite des Noirs.

Je me suis empressé de les transmettre au Ministre de la Marine, en l'invitant à faire prendre des informations sur la conduite des Capitaines qui y sont nominativement désignés.

Le Gouvernement du Roi, ainsi que le votre, Monsieur l'Ambassadeur, met le plus grand intérêt à l'entière abolition de cet odieux Trafic, et au maintien des Réglemens qui le proscrivent.

Il se félicite de ce qu'à cet égard ses efforts n'ont pas été sans succès. Les amis de l'humanité doivent en trouver la preuve dans les jugemens récemment rendus par divers Tribunaux, lorsque les faits ont été constatés, et dans l'activité des poursuites dirigés contre ce genre de spéculation.

Je ne puis toutefois dissimuler à votre Excellence, qu'après la plus rigoureuse information, le Gouvernement a eu plusieurs fois bien de se convaincre que les renseignemens qui lui sont transmis ne sont pas toujours exemptes d'exagération, et qu'il n'est pas sans exemple que de simples présomptions aient été affirmés comme des certitudes.

Quoi qu'il en soit, il ne recevra pas avec moins d'intérêt les communications que votre Excellence voudra bien lui adresser, et n'en mettras pas moins d'empressement à accueillir, tout ce qui, dans un objet aussi important, peut contribuer à éclairer sa surveillance, et assurer sa justice.

*S. E. Le Vicomte de Granville.*

LE BARON DE DAMAS.

No. 102.—*Viscount Granville to Mr. Secy. Canning.*—(*Rec. Dec. 2.*)

SIR,

*Paris, November 29, 1824.*

I HAVE the honour to acknowledge the receipt of your Despatch of the 19th Instant, transmitting a Copy of Papers relative to the Slave Trade, which, by His Majesty's Command, were presented to both Houses of Parliament in the course of last Session.

I have, &c.

*The Right Hon. George Canning.*

GRANVILLE.

No. 103.—*Mr. Secretary Canning to Viscount Granville.*

MY LORD,

*Foreign Office, December 15, 1824.*

I SEND herewith to your Excellency the Extracts of two Despatches which have been received by Earl Bathurst from Lieutenant General Sir Lowry Cole, Governor of *The Mauritius*, reporting the wreck of the *French Brig the Lys*, with 110 Blacks, on *Providence Island*, one of the Dependencies of Mauritius, and the subsequent loss of 103 of the Blacks, on board of His Majesty's Sloop, *Delight*.

Your Excellency will communicate these statements to the Government of His Most Christian Majesty.

I am, &c.

*His Excellency Viscount Granville.*

GEORGE CANNING.

(*Enclosure 1.*)—*Lieut. Gen. Sir G. L. Cole to Earl Bathurst.*

(Extract.)

*Mauritius, April 8, 1824.*

A REPORT was made to me on the 31st January last, by Mr. Margeot, the Proprietor of *Providence Island*, situate N. E. of *Madagascar*, and one of the Dependencies of this Government, that the *Lys*, a *French Brig* belonging to *Bourbon* and engaged in the Slave Trade, had been wrecked on the Coast of that Island, on the 16th June, 1823, having 110 blacks on board.

As the Report above alluded to, stated that the whole of the provisions of the Island had been consumed, and that the people were entirely dependent for food, on the fish they were enabled to take from day to day; I determined at once to send a Vessel to their relief, as well as for the purpose of removing them here; and it appeared to me the more necessary that no time should be lost in doing so, as the Master of the Ship who brought the above intelligence had touched at *Bourbon* previous to coming here, and had landed there the Captain of the *Lys*, with some of the Crew, whom he had taken from off *Providence Island*; I had therefore strong reasons to apprehend that an attempt would be made, by persons engaged in the Slave Trade, to secure the Blacks in question, and none of His Majesty's Ships of War being on the Station at the moment, I engaged the *Phillip Dundas* at the usual rate of Tonnage paid for Voyages from hence to *Madagascar*, and despatched her immediately upon the above service, under charge of Captain Royer, the Harbour Master of *Port Louis*.

Captain Royer returned here on the 28th ultimo, and reported that on his arrival at *Providence*, he found His Majesty's Ship *Delight*, Captain Hay, had visited that Island, and had sailed for this Port with 103 of the Blacks on board.

The probable fate of that Vessel and Crew is the subject of my Despatch, No. 18, and I confine myself here to reporting the expence

occasioned by the employment of the *Phillip Dundas*, which amounted to Two Thousand Dollars.

*The Right Hon. Earl Bathurst.*

G. L. COLE.

(*Enclosure 2.*)—*Lieut. Gen. Sir G. L. Cole to Earl Bathurst.*

(Extract.)

*Mauritius, April 20, 1824.*

IT is with the deepest concern that I have to report to your Lordship the probable loss of His Majesty's Ship "*Delight*," commanded by Captain *Hay*.

Captain *Hay* having been informed that a number of Slaves had been wrecked on *Providence Island*, sailed from hence on the 13th of January last, for the purpose of bringing them off the Island.

On the 12th of February, as appears by Captain *Royer's* Report, alluded to in my Despatch, No. 13, Captain *Hay* visited *Providence Island*, one of the Dependencies of this Government, and took from thence 103 Blacks belonging to the "*Lys*," a *French Brig*, which had been wrecked on the Coast of that Island, and sailed for this Port the same day.

On the evening preceding the hurricane of the 23d February, a Brig and a Ship were in sight to leeward of the Island, but were not to be seen on the following morning.

The Ship has since arrived here, and the Captain reports that he parted company with an English Ship, and nothing has since been heard of the *Delight*,—but several small articles belonging to that Vessel, as well as the Grating of the Main-Hatchway and the Box of an Azimuth Compass, have been thrown on shore near *Cannonier Point*.

No appearance of a wreck, however, has been discovered on the small Islands off this Coast, which I have caused to be examined, neither have any bodies been washed on shore; and on these circumstances rest the only hope which can be entertained of the safety of the *Delight*. It is possible that she may have bore up for the *Seychelles*, from which Islands we have not heard since the hurricane, but I confess that I have but very faint hopes that she has escaped.

*The Right Hon. Earl Bathurst.*

G. L. COLE.

No. 104.—*Viscount Granville to Mr. Secy. Canning.*—(*Rec. Dec. 25.*)

SIR,

*Paris, December 20, 1824.*

I HAVE the honour to acknowledge the receipt of your Despatch of the 15th instant, together with its Enclosures; the subject of which will form the object of an immediate communication to the Government of His Most Christian Majesty.

I have, &c.

*The Right Hon. George Canning.*

GRANVILLE.



No. 105.—*Viscount Granville to Mr. Secy. Canning.*—(Rec. Jan. 20.)

SIR,

Paris, January 17, 1825.

I HAVE the honour to enclose a Copy of a Note, which I have received from M. Le Baron de Damas, in consequence of one that I addressed to him on the 20th of November last, on the subject of the Slave Trade, still carried on, under the *French Flag*, on the Coast of *Africa*.

His Excellency remarks, that the different accounts he has received, confirms the opinion which he formerly expressed to me, that these Reports are seldom unaccompanied by exaggeration; but at the same time he acquaints me, that from the enquiries which have been made at the *French Admiralty*, it has been ascertained, that of the Vessels mentioned in my Note, some have been taken and condemned, and orders have been given to watch the return of the remainder, which are not yet arrived in the French Ports.

I have, &c.

*The Right Hon. George Canning.*

GRANVILLE.

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(Enclosure.)—*The Baron de Damas to Viscount Granville.*

MONSIEUR L'AMBASSADEUR,

Paris, le Janvier, 1825.

LE Gouvernement du Roi s'est empressé de faire prendre des informations sur les faits, qui ont donné lieu à la Lettre que Votre Excellence, m'a fait l'honneur de m'écrire, le 20 Novembre dernier, relativement à plusieurs batimens Français, soupçonnés de se livrer à la Traite de Noirs.

Ces informations confirment les observations que j'adressais à Votre Excellence dans ma reponse du 23 du même mois, sur l'exagération dont ne sont pas toujours exempte les rapports qui parviennent à son Gouvernement. En effet, d'après la vérification qui en a été faite par le Ministre de la Marine, les navires dont l'état accompagnait la Lettre de Votre Excellence, avaient déjà été signalés au Gouvernement, quelques uns déjà poursuivis, et condamnés, et les ordres donnés pour faire surveiller le retour de ceux qui ne sont point encore arrivés à mesure qu'ils se presenteront dans nos Ports.

J'ai, &c.

*Son Excellence Le Vicomte Granville.*

LE BARON DE DAMAS.

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No. 106.—*Mr. Secretary Canning to Viscount Granville.*

MY LORD,

Foreign Office, January 24, 1825.

IN reference to the subject of my Despatch to Mr. Percy, of the 13th of November, 1824, marked *Slave Trade*, I transmit to your Excellency the Extract of a Communication from the Admiralty, stating, that in the Case of the French Slave Vessel "*Le Louis*," "*L'Oiseau*" Master, her Cargo of human Beings were stowed for one

whole night between decks, with a height of hardly three feet, and that not less than fifty of them were found next morning to have perished.

I request that your Excellency will communicate to the Government of His Most Christian Majesty, these revolting particulars of the conduct of French Subjects engaged in the Slave Trade, with the horrible result of which they themselves seem not to have been at all affected, for it appears they did but throw the dead bodies in the sea, and instantaneously proceed on shore, in search of more victims.

His Most Christian Majesty's Government will never allow to remain unpunished, a conduct so opposite to the humane principles by which it is guided: and I feel confident, that the communication of these facts by your Excellency, will lead to a strict enquiry into the circumstances of this atrocious case, and a severe punishment of the offenders.

I am, &c.

*His Excellency Viscount Granville.*

GEORGE CANNING.

(Enclosure.)—*Commodore Bullen to J. W. Croker, Esq.*

(Extract.) *H. M. S. Maidstone, Princes Island, Oct. 3, 1824.*

FINDING the *James* here, commanded by Captain Prince, who conducted himself so humanely and shewed such attention to the Crews of my boats, on their arrival in a distressed condition in the *Bonny* in June last, I was happy in being enabled personally to express to him, my sincere thanks for his praise-worthy conduct on that occasion. From him I learn that the *French Slave Trade* has lately most considerably increased in the Rivers *Bonny* and *Old Calabar*. Several new Vessels have arrived, and many laden with full Cargoes of Human Victims have left, under the White Flag and manned by *Frenchmen*, although the Capital embarked is ostensibly *Spanish*. That their Lordships may have full and complete information respecting the degrees of barbarity and want of feeling evinced by these subjects of an enlightened Nation, which publicly disavows such horrible and infamous conduct, I beg leave to acquaint them, that "*Le Louis*" commanded by "*Oiseau*" who was so insolent to my Officers on their visiting him in June last, on completing her Cargo of Slaves in the *Old Calabar*, without the slightest spark of humanity in him, thrust the whole of these unfortunate Beings between decks (a height of nearly three feet) and closed the hatches for the night; when morning made its appearance, *fifty* of the poor sufferers had paid the debt of nature, owing to the confined, diseased, and putrid atmosphere they were condemned to respire. The wretch, coolly ordered the bodies of these miserable victims of his total want of human feeling, to be thrown into the River, and immediately proceeded on shore, to complete his execrable Cargo, by a fresh purchase of his fellow-creatures. To detail all the enormities committed by these dealers in human flesh, who feel they are

protected by the Nation they claim, and the Flag they hoist, would trespass too much on their Lordships' time; suffice it to say, they are heart-rending, and would disgrace the most unenlightened savage, and most refined cruelty.

*J. W. Croker, Esq.*

CHARLES BULLEN.

No. 107.—*Viscount Granville to Mr. Secy. Canning.*—(Rec. Feb. 3.)  
SIR, *Paris, January 31, 1825.*

I HAVE the honour to acknowledge the receipt of your Despatch of the 24th Instant, marked Slave Trade, enclosing the Extract of a Communication from the Admiralty, of a most atrocious case of barbarous cruelty, committed by the Commander of a French Slave Vessel on the Coast of Africa; and, in consequence, I addressed a Note to the French Minister for Foreign Affairs, of which I herewith transmit a Copy.

I have the honour, &c.

*The Right Hon. George Canning.*

GRANVILLE.

(Enclosure.)—*Viscount Granville to The Baron de Damas.*

SIR, *Paris, January 29, 1825.*

I HAVE the honour to transmit to your Excellency, in obedience to Instructions I have received from my Government, an Extract of a Letter from the Admiralty, relative to the Case of the French Ship "*Le Louis*," L'Oiseau, Master, and which has lately been engaged in the Slave Trade. Your Excellency will observe that no less than *fifty* Human Beings were deprived of life in the space of one night, and that the perpetrators of this horrible act, were so little affected, that they merely threw the dead bodies into the sea, and instantaneously proceeded on shore, in search of more victims.

In communicating to your Excellency these revolting particulars, I am confident the Government of His Most Christian Majesty will not allow to remain unpunished, a conduct so opposite to the humane principles by which it is guided, and that the communication of these facts by your Excellency, will lead to a strict enquiry into the circumstances of this Case, and a severe punishment of the offenders.

I have the honour, &c.

*His Excellency The Baron de Damas.*

GRANVILLE.

No. 108.—*Mr. Secretary Canning to Viscount Granville.*

MY LORD, *Foreign Office, February 9, 1825.*

IN reference to the Despatch from Sir Charles Stuart, marked Slave Trade, of August 19, 1824, and to subsequent Correspondence, on the subject of the "*St. George*," "*Caledonia*," and "*Ranger*," British Vessels, charged by the Agents of the French Government with being concerned in the Traffic in Slaves, I forward to your Ex-

cellency, the accompanying Copy of a Communication from the Admiralty, upon the subject in question.

Your Excellency will communicate these Papers to the French Government, who will possess in them a satisfactory proof, that the suspicion raised against these Vessels was entirely without foundation.

I am, &c.

*His Excellency Viscount Granville.*

GEORGE CANNING.

(*Enclosure A.*)—*John Barrow, Esq. to Joseph Planta, Jun. Esq.*

SIR,

*Admiralty Office, January 21, 1825.*

MY Lords Commissioners of the Admiralty having referred to Commodore Bullen, commanding on the Coast of Africa, a Communication from the Secretary of the Treasury, founded upon one from Lord Howard de Walden, respecting three British Vessels, the *St. George*, *Caledonia*, and *Ranger*, represented by the French Government as having been seen engaged in the Slave Trade on the Coast of Africa; I am commanded by their Lordships to transmit to you, for the information of Mr. Secretary Canning, a Copy of a Report which has been received from Commodore Bullen on the subject of those Vessels.

I am, &c.

*Joseph Planta, Jun. Esq.*

JOHN BARROW.

(*Enclosure B.*)—*Commodore Bullen to J. W. Croker, Esq.*

SIR,

*H. M. S. Maidstone, Sierra Leone, Nov. 10, 1824.*

I BEG leave to acquaint you, for the information of My Lords Commissioners of the Admiralty, that in compliance with their Letter No. 15, of the 9th September, 1824, respecting the three English Vessels, *Ranger*, *St. George*, and *Caledonia*, stated on the part of the French Government to be engaged in the Slave Trade, I have made every enquiry into the circumstances therein stated, and from having met with the whole of these Vessels, and had frequent communications with the Owner of the two first, who commands the *Ranger*, (Mr. *Spence*) I think I can convince their Lordships, that so far from being engaged in the Slave Trade, they have been particularly instrumental in discouraging it; in confirmation of which I beg to refer their Lordships to the Commissioners' General Report of the Slave Trade, dated Sierra Leone, 29th April, 1823, in which the services of Mr. *Spence*, his integrity and humane conduct, are spoken of in such strong terms of approbation as to need no comment from me. In furtherance of his project of establishing his Factory in the River *Sestos*, he purchased the *St. George* (formerly the *Fabiana* condemned Slave Vessel) which is at this moment chartered by Government, and obtaining Rice, &c. for the support of the Colony. There are at all periods a very considerable number of Kroomen at *Sierra Leone*, who are particularly



attached to the English, and are employed on board His Majesty's Ships, and also the several Merchant Vessels that arrive on the Coast, and it is their custom to return at particular seasons to their own Country, from whence others are continually arriving. As Mr. Spence keeps up a constant communication with his Factory, which borders on the Kroo Country, he seldom sails without having from forty to fifty of those People on board, whom he takes down for two dollars each, they preferring this mode of conveyance, (he being a great favourite with them) to their passage along shore in their canoes; from this circumstance has arisen the statement of so many Blacks being seen on board, but surely the French Officer who boarded the *St. George* off Cape Mount, (not I imagine Cape Palmas) could not well mistake Kroomen, (who are fine, clean, well-grown men) for Slaves.

The *Ranger* left Sierra Leone on the 24th August for England, and to her Master I entrusted my public Despatches, he bearing on this Coast a most excellent character.

On my arrival at Accra the 4th June, I found the *Caledonia* deeply laden with Palm Oil, Ivory, and Gold dust, on her way to England, having completed her Trade on the Coast, and certainly bore no appearance of a Slave Vessel. She is a regular Trader, belongs I understand to a most respectable house, and by her I reported my proceedings to their Lordships, which have been received and acknowledged.

This unfounded charge has, in my opinion been merely exhibited by the Commander of the French Squadron on this Coast, to endeavour, by a counter-statement, to palliate the infamous conduct of his countrymen who openly avow their participation in the Slave Trade, and of whom I have had the honour to transmit to their Lordships the most ample details.

I have, &c.

J. W. Croker, Esq.

CHARLES BULLEN.

No. 109.—*Viscount Granville to Mr. Secy. Canning.*—(Rec. Feb. 13.)  
 Sir, Paris, February 10, 1825.

I ENCLOSE a Note from Monsieur de Damas, in answer to mine of the 29th of last month, respecting the conduct of the Master of the French Vessel, "*Louis*," in the River *Gambia*; in which His Excellency informs me, that the dreadful acts laid to this man's charge will be the immediate object of active and vigorous researches on the part of the Government of His Most Christian Majesty.

I have, &c.

The Right Hon. George Canning.

GRANVILLE.

(Enclosure.)—*The Baron de Damas to Viscount Granville.*

MONSIEUR L'AMBAassadeUR,

Paris le 1er. Fevrier, 1825.

JE m'empresse d'adresser au Ministre de la Marine les renseigne-

mens qui accompagnoient la Lettre que votre Excellence m'a fait l'honneur de m'écrire le 29 du mois dernier. Le fait horrible imputé au Capitaine *L'Oiseau* commandant le Navire Français "*Le Louis*," sera l'objet d'une information immédiate et rigoureuse: le Gouvernement partage l'indignation que de pareilles atrocités doivent exciter, et n'hésitera pas à faire un exemple qui en prévienne le retour. Je ne puis que remercier votre Excellence de cette communication.

*S. E. L'Ambassadeur d'Angleterre.*

LE BARON DE DAMAS.

No. 110.—*Viscount Granville to Mr. Secy. Canning.*—(Rec. Feb. 20.)

SIR,

Paris, February 17, 1825.

IN conformity to the Instructions contained in your Despatch of the 9th February, marked *Slave Trade*, I lost no time in transmitting to His Excellency The Baron de Damas, the Communication therein enclosed, respecting the British Vessels *St. George*, *Caledonia*, and *Ranger*, charged by the Agents of the French Government with being concerned in the Traffic of Slaves, in which satisfactory proofs are given, that the suspicion raised against these Vessels was entirely without foundation.

I have, &c.

*The Right Hon. George Canning.*

GRANVILLE.

No. 111.—*Mr. Secretary Canning to Viscount Granville.*

MY LORD,

Foreign Office, March 8, 1825.

IT appears from statements, which your Excellency will find more particularly detailed in the enclosed Papers, that Vice-Admiral Halsted, having received intimation that some Vessels engaged in the Slave-Trade, were on their return voyage from the Coast of *Africa*, with the intention of importing their Cargoes of Slaves into the Island of *Cuba* for sale, despatched H. M. S. *Primrose*, Captain Stoddart, for the purpose of intercepting them.

The *Primrose*, while cruising on this service off Cape St. Nicholas Mole, on the Western Coast of *St. Domingo*, on the 7th December, 1824, met with a Vessel answering the description given, and which was making all sail for *St. Jago de Cuba*; but, after a chase of five hours, was neared by the *Primrose*, and hove to, shewing *French Colours*.

She proved to be "*Les deux Nantois*," of *Nantes*, or originally from that Place, manned by French subjects, and having clearances from *St. Thomas's*, for which Place she sailed from *Nantes*, on the 5th June, 1824, under the command of Charles Pelletier.

By her log, she had proceeded straight for the Coast of *Guinea*, and having reached the River *Sherbro'* near *Sierra Leone*, remained there eleven weeks, and thence shaped her course for the Island of *Cuba*, laden with 460 Negroes, who were on board when she was de-

tained by the *Primrose*, and whom her Captain admitted to have taken "from Bolom, River Sherbro'."

The Commander of the *Primrose*, on finding her to be *French*, declined, very properly, sending her to be judged by the Mixed Spanish and British Commission at The Havannah; but upon the impression that her cargo had been taken on board within the limits of a British Settlement in Africa, conceived himself justified in sending her, under charge of a Lieutenant of the *Primrose*, to Port Royal *Jamaica*.

Admiral Halsted, upon consideration of the circumstances of the Case, gave orders, which were immediately put in execution, for supplying "*Les deux Nantois*" with what provisions and water she wanted, and restoring possession of her, and of the Negroes on board of her, to her original Master; and she sailed from *Port Royal* on the 19th of the same month, in company with the *Primrose*, to be seen clear of the Island of *Jamaica*, and then to be left to pursue her original voyage.

I cannot conclude this account, which I beg that your Excellency will communicate to the Government of His Most Christian Majesty, without desiring you at the same time to recall their attention to the wishes so often expressed on the part of His Majesty, and the hopes held out by the Government of France, that measures would be taken effectually to check a Trade, which *France* has abandoned by Treaty and abolished by Law, but which yet continues to be covered by her Flag.

Your Excellency will remark that "*Les deux Nantois*" is one of the Vessels to which the attention of the French Government was drawn by Sir Charles Stuart, in his Note to M. de Chateaubriand, of the 4th of January, 1824, as being a Vessel about to sail from *Nantes* equipped for Slave Trade; and that Sir Charles Stuart gave a description of the Vessels fitting out at that Port, and their equipment, and called upon the French Ministry to take measures for preventing the voyage.

The French Minister, in answer to this representation, gave assurances in his Note of the 10th January to Sir Charles Stuart, that the Government of The King of France "did not feel an interest less deep, than that which was felt by the British Government, in the Suppression of this odious Traffic; and would not neglect any means in their power, permitted by the Laws, for effecting the object."

The French Laws on this subject are, therefore, either not effective or not enforced.

I am, &c.

His Excellency Viscount Granville.

GEORGE CANNING.

(Enclosure A)—John Barrow, Esq. to Joseph Planta Jun. Esq.

SIR,

Admiralty Office, February 5, 1825.

I AM commanded by My Lords Commissioners of the Admiralty

to transmit to you, for the information of Mr. Secretary Canning, a Copy of a Letter from Vice-Admiral Sir Lawrence Halsted, with Copies of the Papers therein referred to, respecting a French Vessel called "*Les deux Nantois*" detained with 466 Slaves on board, by His Majesty's Sloop *Primrose*, and subsequently released by the Vice Admiral's order; and I am at the same time to observe that the name of that Vessel appears in a list of Ships, said to be fitted out from *Nantes* for the Slave Trade, transmitted to this Office with your Letter of the 31st of January, 1824.

I am, &c.

Joseph Planta, Jun., Esq.

JOHN BARROW.

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(Enclosure B.)—Vice-Admiral Halsted to J. W. Croker, Esq.

SIR,

Serapis, Jamaica, December 19, 1824.

You will be pleased to acquaint My Lords Commissioners of the Admiralty, that having sent His Majesty's Sloop *Primrose*, to cruize off St. Jago de Cuba, for the suppression of Piracy, and the intercep- tion of some of the many Vessels, expected from the Coast of Africa, with Slaves for the Island of *Cuba*; Captain Stoddart, in the exercise of that examination which the present state of Piracy in that neigh- bourhood renders a matter of necessity, for the protection of the Com- merce of all Nations, boarded on the 7th instant, and sent into Port Royal, as stated in the enclosed Copy of his Report, a *French Brig* of about 200 Tons called "*Les Deux Nantois*," from the River *Sherbo- rough* on the Coast of *Africa*, Pelletier, Master, which he found ho- vering near Cumberland Harbour, with the intention of landing her Cargo, consisting of four hundred and sixty-six Slaves.

I shall not trouble their Lordships with a recapitulation of the pe- culiarities of this affair, which I considered it my duty to cause to be submitted to His Majesty's Attorney-General.

The said Vessel having obtained the necessary supply of provisi- ons and water, and possession of her and of the Negroes on board re- stored to her Master; you will be pleased to acquaint their Lordships, that in accordance with the Attorney-General's opinion, she sailed from *Port Royal* this day, in company with the *Primrose*, to be seen clear of the Island and then to be left to pursue her original voyage.

To the other Enclosures I beg also to add a Copy of some intelli- gence respecting Slave Vessels, obtained by Captain Stoddart from the Officers of the Brig he detained.

I am, &c.

John Wilson Croker, Esq.

L. W. HALSTED.

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(Enclosure C.)—Captain Stoddart to Vice-Admiral Halsted.

SIR,

H. M. S. *Primrose*, at Sea, December 7, 1824.

I HAVE the honour to inform you that at day-light this morning



a strange sail was observed from this Vessel, and after a chase of five hours from off Cumberland Harbour, nearly down to St. Jago de Cuba, I boarded the Brig "*Les Deux Nantois*" having on board 466 Slaves. This Vessel being under *French* Colours and having *French* Papers, I could not consider myself authorized to send her direct to The Havannah. I have, therefore, put an Officer on board with directions to proceed with her to *Port Royal* for your further instructions, which I hope will meet your approval.

From information which I have received of the expected arrival of several Slavers, I consider the best cruising ground to be from *Esccondido* to the Port of *St. Jago de Cuba*, and to which limits it is my intention to confine myself during the remainder of my cruize.

I have, &c.

Vice-Admiral Sir L. W. Halsted.

J. STODDART, Commander.

(Enclosure D.)—Intelligence obtained respecting Slave Vessels.

The Slave Vessels bound to the Island of *Cuba*, generally run into the latitude of *Cape Maize* to windward of all the Islands, and the first land they make is old *Cape François*, on the North East end of *St. Domingo*; the reason given for this is, they are not so likely to fall in with any Cruizers; they keep along the North side of *St. Domingo*, and stand across for *Cape Maize*, they then run close along shore, and prefer landing their Slaves at a small Bay, called *Atlarcs*, about fifteen miles to the eastward of *St. Jago*. *Cumberland Harbour* and *Esccondido* are also favourite and convenient Places for landing Slaves, but if hard chased they will land them on any part of the Coast: even if landed near *Cape Maize*, they will reach *St. Jago*, in two days, the roads being very good. It is asserted also by the Second Officer of "*Les Deux Nantois*," from whom I obtained this information, that there are not less than *two hundred\** Vessels belonging to *Nantz* following the Slave Trade. When *Les Deux Nantois* left the African Coast, there were a great many Vessels waiting for Slaves, but as there is considerable difficulty in obtaining them, they will be detained a long time before they can complete their Cargoes.

There are some *Spanish* Vessels on the Coast of Guinea, one large Brig, mounting 18 guns and a large gun on pivot in midships, and manned with 150 men. I was informed by the Master of an *American* Brig lying in *Cumberland Harbour*, that he was told by a *French* Merchant, at Saint Jago de Cuba, who had lately left *Bordeaux*, that seven Vessels, mostly Brigs, had fitted out at that Port, intended to carry Slaves from the Coast of Guinea to the Island of *Cuba*. There is reason to believe, signals are made to give the Slave Vessels notice of any Cruizers that may be off; the Slaves are landed with the greatest expedition; 500 within the hour can be landed with ease, so great is the

\*Most likely an exaggeration or mistake.

assistance the Slave Vessels obtain from the people employed to watch the Coast at the time they are expected.

Several Slave Vessels are expected about this time, but there is reason to believe, that a small Schooner is employed cruising off *Cape Maize* to give information of any Cruizers that may be off the Coast. The Slave Vessels which land their Cargoes on the Southern side of the Island generally refit at *St. Jago*. A Schooner had landed 140 Slaves near *St. Jago* about the 7th, and afterwards went into that Port; three Vessels were fitting out at *St. Jago* for the Slave Trade, and were expected to sail in the course of a week; these Vessels generally clear out for one of the West India Islands; it is an invariable rule with Slave Vessels, to have as little intercourse as possible with any other Vessel, and even on the Coast of Africa they avoid communicating with each other. *H. M. S. Primrose, Dec. 19, 1824.* J. STODDART, Commander.

No. 112.—*Visct. Granville to Mr. Secy. Canning.*—(Rec. March 17.)  
SIR, *Paris, March 14, 1825.*

I HAVE the honour to acknowledge the receipt of your Despatch of the 8th Instant, marked *Slave Trade*, enclosing various Documents relative to a French Vessel called "*Les Deux Nantois*," engaged in the Traffic of Slaves.

I shall not fail in obedience to your Instructions to make a representation of the Case to The Baron de Damas, recalling to his recollection that this very Vessel was pointed out by Sir Charles Stuart in January, 1824, as about to sail from *Nantes*, equipped for the Slave Trade, and observing upon the insufficiency of the French Laws for the repression of this iniquitous Commerce.

I have, &c.

*The Right Hon. George Canning.*

GRANVILLE.

No. 113.—*Visct. Granville to Mr. Secy. Canning.*—(Rec. March 24.)  
SIR, *Paris, March 21, 1825.*

I HAVE the honour to enclose a Copy of a Note, which I addressed to Monsieur Le Baron de Damas, on the detention by His Majesty's Ship *Primrose*, off Cape St. Nicholas Mole, on the Western Coast of St. Domingo, of the Vessel *Les Deux Nantois*, of Nantes, manned with French subjects and laden with 466 Negroes, shaping her course for the Island of *Cuba*.

I am, &c.

*The Right Hon. George Canning.*

GRANVILLE.

(Enclosure.)—*Viscount Granville to The Baron de Damas.*  
MONSIEUR LE BARON, *Paris, March 18, 1825.*

I AM instructed by my Court to bring under the consideration of the French Government, the enclosed Documents relative to a French Vessel, called "*Les Deux Nantois*," of Nantes, manned by French

Subjects, and having clearances for St. Thomas's, for which Place she sailed from *Nantes* on the 5th of June, under the command of *Charles Pelletier*. It appears by her log-book that the "*Deux Nantois*," proceeded straight for the Coast of Guinea, and having reached the River *Sherborough* near Sierra Leone, remained there eleven weeks, and thence shaped her course for the Island of *Cuba*, laden with a Cargo of Slaves.

His Britannic Majesty's Ship of War, *Primrose*, having been detached by Admiral Halsted, for the purpose of intercepting Vessels, which were reported to be on their return voyage from the Coast of Africa, with the intention of importing their Cargoes of Slaves into the Island of Cuba for sale, detained the "*Deux Nantois*," off Cape St. Nicholas, on the Western Coast of *St. Domingo*, and found on board of her 466 Negroes.

The Commander of the *Primrose*, on finding the detained Vessel to be *French*, very properly declined sending her to be judged by the Mixed Spanish and British Commission at *The Havannah*; but under the impression that her Cargo had been taken on board, within the limits of a *British* Settlement in Africa, conceived himself justified in sending her, under charge of a Lieutenant of the *Primrose*, to Port Royal, *Jamaica*. Admiral Halsted upon consideration of the circumstances of the Case, gave orders, which were immediately put in execution, for supplying "*Les Deux Nantois*" with what provisions and water she wanted, and for restoring possession of her, and of the Negroes on board, to her original Master. She sailed from Port Royal, on the 19th of the same Month, in company with the *Primrose*, to be seen clear of the Island of *Jamaica*, and then to be left to pursue her original voyage.

I cannot conclude this narrative of the voyage of the "*Deux Nantois*," and of the proceedings of the British Naval Commander with respect to that Vessel, without recalling to the recollection of the French Government, the wishes so often expressed on the part of my Sovereign, and the hopes held out by the Ministers of His Most Christian Majesty, that measures would be taken, effectually to check a Trade, which France has abandoned by Treaty, and has abolished by Law, but which yet continues to be covered by her Flag. I have to remark to your Excellency that "*Les Deux Nantois*" is one of the Vessels to which the attention of the French Government was drawn by Sir Charles Stuart, in his Note to M. de Chateaubriand, of the 4th of January, 1824, as being a Vessel about to sail from *Nantes*, equipped for the Slave Trade; that Sir Charles Stuart gave a description of the Vessels fitting out at that Port, and of their equipment, and called upon the French Ministry to take means for preventing the voyage. M. de Chateaubriand, in answer to this representation, gave assurances, in his Note of the 10th of January, to Sir Charles Stuart, that the Go-

vernment of The King of France, did not feel an interest less deep than that which was felt by the British Government, in the suppression of this odious Traffic, and would not neglect any means in their power, permitted by the Laws, for effecting the object.

If French Vessels, which, like the "*Deux Nantois*," have been by name pointed out as engaged in the Slave Trade, and fitted for that especial purpose, can proceed to their destination, and continue their Traffic, without hindrance from the French Government, I leave to your Excellency to consider, whether it must not be inferred, that the French Laws on the subject, are either not effective or not duly enforced.

I have, &c.

S. E. M. Le Baron de Damas.

GRANVILLE.

No. 114.—*Viscount Granville to Mr. Secy. Canning.*—(Rec. April 3.)  
SIR, Paris, March 31, 1825.

I HEREWITH enclose a Copy of a Note, which I have received from The Baron de Damas, in answer to a representation I made to him on the subject of a Vessel called the "*Deux Nantois*," of Nantes, fitted out in a French Port for the express purpose of trading in, and conveying Slaves to the West India Islands, and described as such to the French Government by Sir Charles Stuart, in a Note addressed by His Excellency to Monsieur de Chateaubriand, in the month of January, 1824.

I have, &c.

The Right Hon. George Canning.

GRANVILLE.

(Enclosure.)—*The Baron de Damas to Viscount Granville.*

MONSIEUR L'AMBASSEDEUR,

Paris, le 23 Mars, 1825.

J'AI reçu avec la Lettre que votre Excellence m'a fait l'honneur de m'écrire le 18 de ce mois, les Pièces qui l'accompagnoient relatives au Navire Français *Les deux Nantois*, prévenu de faire la Traite des Noirs. Ce Batiment, ainsi que le rappelle votre Excellence, avait été signalé en effet au Gouvernement par Monsieur le Chevalier Stuart. Les informations qui furent prises en conséquence firent connoître, que *Les deux Nantois* ayant mis à la voile depuis longtems ne pouvaient donner lieu à aucune mesure jusqu'à ce que leur retour en France, ou leur arrivée dans un des Ports de nos Colonies mit l'autorité à même de constater la nature de leur expédition. Le Gouvernement a la certitude, que les ordres qu'il a donnés à cet égard aux Administrations Coloniales sont, ou seront ponctuellement exécutés; je n'en ai pas moins fait usage des nouveaux renseignemens que votre Excellence vient de m'adresser, et dont je la prie de vouloir bien agréer mes remerciemens.

J'ai l'honneur, &c.

S. E. Le Vicomte de Granville.

LE BARON DE DAMAS.



## G E N E R A L.

No. 115.—*Mr. Secy. Canning to His Majesty's Ministers and Consuls.*  
(Circular.) *Foreign Office, November 19, 1824.*

I HEREWITH transmit to for your information, a Copy of Papers marked A. and B., relative to the Slave Trade, which were presented to both Houses of Parliament, by His Majesty's Command, in the course of the last Session.

I am, &c.

*His Majesty's Ministers and Consuls.*

GEORGE CANNING.

No. 116.—*Joseph Planta, Jun. Esq. to His Majesty's Ministers and Consuls.*

(Circular.) *Foreign Office, November 20, 1824.*

I AM directed by Mr. Secretary Canning to send to for your information, a Copy of the Act recently passed for amending and consolidating the Laws relating to the Abolition of the Slave Trade.

I am, &c.

*His Majesty's Ministers and Consuls.*

J. PLANTA, Jun.

## CORRESPONDENCE of the COLONIAL OFFICE,

TOUCHING

*The SLAVE TRADE,\**

"RECEIVED FROM THE GOVERNORS OF SIERRA LEONE, AND OTHER BRITISH POSSESSIONS ON THE COAST OF AFRICA, AND FROM THE GOVERNORS OF THE MAURITIUS AND THE CAPE OF GOOD HOPE;  
SINCE THE 1st. OF JANUARY, 1824."

## M A U R I T I U S.

*Lieut. General The Honourable Sir G. Lowry Cole to Earl Bathurst.*  
(Extract.) *Mauritius, November 18, 1824.*

I AM happy in assuring your Lordship, that I have every reason to think that the introduction of Slaves into the *Mauritius* has entirely ceased.

It is possible that a few may still be taken to the Seychelles from the African Coast, but this can neither be well ascertained, nor prevented, until a small armed Vessel shall be constantly stationed at

\* Presented to The House of Commons, March 16, 1825.

that Dependency, for the express purpose of cruising amongst the several Islands. All Slaves, however, brought here from the Seychelles, are subjected to the established formalities; and unless they correspond with their original recensement, they are not admitted.

It is but justice to the Inhabitants to say, that, as far as I can judge, I perceive no disposition whatever on their parts to renew the traffic in Slaves; but rather a feeling in condemnation of the horrors incident to this trade, seems to be gaining ground.

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SIERRA LEONE AND COAST OF AFRICA . . . . . NIL.  
 CAPE OF GOOD HOPE . . . . . NIL.

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**CORRESPONDENCE of the ADMIRALTY**  
 RELATIVE TO THE  
*The SUPPRESSION of the SLAVE TRADE.\**

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\* Presented to The House of Commons, March 29, 1825.

## A.

*COMMUNICATIONS received by The Lords Commissioners  
of the Admiralty, from Naval Officers, since Jan. 1, 1824.*

No. 1.—*Acting Captain Courtenay to John Wilson Croker, Esq.*  
(Extract.) *H. M. S. Owen Glendower, March 3, 1824.*

THE Brazilian Slave Trade appears to be going on with more vigour than ever known before; scarcely a day passes without a vessel under that Flag calling at Elmina for canoes.

No. 2.—*Commodore Bullen to J. W. Croker, Esq.*  
(Extract.) *H. M. S. Maidstone, Sierra Leone, May 3, 1824.*

I FOUND the Bann refitting here with a prize containing 360 Slaves, which she lately captured off St. Thomas.

No. 3.—*Captain W. F. Owen to J. W. Croker, Esq.*  
(Extract.) *H. M. S. Leven, Mauritius, June 19, 1824.*

SINCE it is the Commodore's intention to visit the sources of the abominable traffick, it will not be necessary for me to enter so much in detail on that subject as it would otherwise have been; it is right to observe, however, that all the Portuguese Authorities everywhere on the Coast, either enter into or take part in this infamous trade with such Adventurers as present themselves in its pursuit, or by their connivance or imbecility do still afford facilities to their success, that cannot fail to render vain its total suppression.

Two French Vessels were at Mosambique for Slaves on my last visit, and the bills for the sale of some Negroes to one of them were put into my hands. The other was the *Soleil*, which, having fitted out at Seychelles for the voyage, was forfeit to our laws; a fictitious sale of the last Vessel had been made to a Portuguese at Oibo, and although navigated entirely by English and French Subjects, she was under Portuguese Colours.

Within these six or eight years Slaves have been permitted to embark at Quillimane and the Rios de Senna, and latterly direct for Brazil. That Country formerly fed Mosambique, and is capable of producing to any extent; but since the Slave Trade has been permitted there, it not only has no superfluity of produce, but is absolutely dependent itself on foreign supply for its subsistence; and Mosambique is become dependent on the Arabs from Zanzibar and Bem-batooka.

The Commandant of the Portuguese Factory, Mr. Lupe de Cardinas, had provoked wars between the different tribes of the Natives for the sake of getting Slaves cheap, and he actually paid for them about half a dollar in value of goods for each, and was evidently in hopes that he

should be able to get them away in a Portuguese Brig, which he expected in when I sailed in September last.

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No. 4.—*Cap. Owen to H. E. The Governor of Mosambique, transmitted to J. W. Croker, Esq. by Letter dated July 10, 1824.*

(Extract.)

*H. M. S. Leven, Mosambique, March 28, 1824.*

THE arrival from the Oibo of the "Soleil" Slaving Vessel, now under a Portuguese Flag, lays me under the necessity of calling your Excellency's attention to the existing Treaties between our Nations, of which it is my misfortune to witness the continued breach so far as respects the infernal traffic in Slaves. This Vessel (the Soleil) is forfeit to the laws of Great Britain, and will be seized wherever found under whatever Flag she may hoist, having fitted out in the British Port of Mahé to pursue the said forbidden trade. This is necessary to observe to your Excellency, because there appears to exist some mysterious transaction to obtain the cover of the Flag of your Nation to enable her to carry on this trade with more facility, which must furnish the British Nation a subject of just complaint to your Court; to prevent which, I have the honour to beg that an embargo may be laid on the "Soleil" until the subject shall be referred for the consideration of higher Authorities. I have also to observe, that 24 Slaves were embarked from this Port under your licence on board an Arab Vessel that sailed hence on the 14th instant, ostensibly to repair this Vessel, and it does not appear that they have returned, but that they have been otherwise disposed of at Oibo, and most probably to the other traders for Slaves of that Place.

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No. 5.—*Commodore Bullen to J. W. Croker, Esq.*

*H. M. S. Maidstone, Cape Coast, Gold Coast,*

(Extract.)

*July 22, 1824.*

ON my passage up the Bight of Benin, I looked in at the several Ports and Roadsteads that I considered suspicious. At anchor off Badagry I boarded the two Brazilian Vessels described in the enclosed list, who had Passports from Don Pedro authorizing them to receive on board at Molembo, south of the Line, their cargoes of Slaves; whereas, it appeared they had both come direct from Bahia to Badagry, for the purpose of purchasing and shipping their cargo there, without the slightest intention of proceeding as directed in their clearances from Bahia; and I found that "Os dons Amigos" had already landed more than half her cargo, doubtless in barter for Slaves. On the 13th I boarded, at anchor off Whydah, the five other Vessels described in the same list: "El Conquistador" and "La Ninfa" were to appearance very fine fast sailing Vessels, the former had 10 guns, 18 pounders, and 51 men; the latter, three guns, 47 men, with scarcely



any room for the stowage of a cargo, which leads me to think, they are not in any way fitted up or adapted for the Slave Trade.

The "Caridade" had landed the whole of her cargo, notwithstanding her Papers directed her to proceed to Molembo, and every thing was in readiness for shipping the Slaves at a short notice; her logs were evidently false, as they described a route from Bahia to Molembo, in south latitude; and a declaration was produced, purporting to have been drawn up at the latter place, on the 7th April, and stating, "that in consequence of not being able to dispose of her cargo at that Port, it was expedient, for the benefit of her Owners, that she should proceed up the Coast for that purpose;" whereas I ascertained, beyond the shadow of a doubt, that she anchored at Whydah on the 10th April, three days after the date of the document affirmed to have been signed in 6° of south latitude; such are the subterfuges resorted to by the dealers in this illicit trade to evade detection.

The whole of the Brazilian Vessels I have boarded have been furnished with a Passport from Don Pedro, agreeably to the Treaty between Great Britain and Portugal, permitting them to trade for Slaves to the Portuguese Possessions, south of the Line; but it is an ascertained fact, that instead of doing so, they make a direct passage to one of the Ports in the Bight of Benin, (keeping the false log before alluded to;) their Masters and Supercargoes instantly land, and remain on shore bargaining for the Slaves, while the Vessel either lies at anchor the whole time, or takes an occasional cruize to prevent suspicion; when the number of Slaves is complete, they watch a favourable opportunity to ship them, and sail the same day; they are thus enabled to escape capture in almost every instance, as they will keep their Slaves for several months in readiness on the shore, without embarking them, sooner than run the risk, when they have information of our cruisers being on the coast.

I beg however to assure their Lordships, that the most vigorous measures shall be resorted to, and the most effectual means taken to intercept and annihilate a traffic so revolting to human nature.

From Lieut. Scott I received a Letter, of which the enclosed is an Extract, stating his proceeding when in command of His Majesty's Ship, "Victor," and containing information respecting "El Romano," which Vessel is now, I learn, cruising off the Isles De Loss.

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(Enclosure No. 1.)—Return of Vessels boarded by H. M. S. Maidstone, in the Bight of Benin, between the 9th and 29th of July, 1824.

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GREAT BRITAIN.

DATE.	PLACE.	NAME OF THE			How Rigged	Under what Colours	NUMBER OF Guns and Tons	When Sailed	WHERE			CARGO	REMARKS
		Vessel	MASTER.	Owner					From	Bound	Belong		
1824								1824					
July 11	At anchor off Badagry	Avizo - -	Louis Pacheco- da Silva	Adriano da Cos- ta Carvalho	Brig	Brazilian	33 - 231½	10 Mar	Bahia	Molemo - -	Bahia -	Tobacco, cloths and aguadente	By imperial pas- port, allowed to take 578 Slaves
		Os dons Amigos Brazileiros	Anto Alvares de Silva	Anto Marquez & Co	Schooner	D <sup>o</sup> -	32 - 146	5 -	D <sup>o</sup> -	D <sup>o</sup> -	D <sup>o</sup> -	D <sup>o</sup> -	Ditto 361 Slaves
		El Conquistador	Nich. Escala -	Jose dela Cuesta	Brig	Spanish	51 10 183	16 April	Habana	Princes Island	Habana	D <sup>o</sup> -	Received tobacco, from the Allianca Portuguese brig four days since the receipts &c. stated to be on shore with supercargo
		La Ninfa Haba- nexo	Francisco Lou- reyn.	F. Loureyn	Schooner	D <sup>o</sup> -	47 3 150	14 - - -	D <sup>o</sup> -	Coast of Africa	D <sup>o</sup> -	D <sup>o</sup> - and Powder	
		Serafina - -	- - -	- - -	Schooner	D <sup>o</sup> -	23 2 92	31 Mar	D <sup>o</sup> -	Cape de Verd Islands	D <sup>o</sup> -	None -	
13	At anchor off Whydah	Caridade - -	J. Anto, de Faria	Anto, de Padua de Cunha Pi- mentel	Schooner	Brazilian	25 - 88½	24 Jan	Bahia	Molemo -	Bahia -	All landed at Whydah	Received from Conquistador nine days since, 500 bars of iron, plank and rice.
		Princexa Estrella	Jose Roiz -	Vicente de Pau- lo Silva	Schooner	D <sup>o</sup> -	20 - 6½	14 May	D <sup>o</sup> -	D <sup>o</sup> -	D <sup>o</sup> -	Tobacco and aguadente	

CHARLES BULLEN.

(*Enclosure 2.*)—*Lieut. Scott to Commodore Bullen.*

*H. M. S. Victor, Port Antonio, Princes Island,*

(Extract.)

*May 10, 1824.*

ON my way to Princes Island I fell in with a large Brig under the South American Flag, with a Lugger and a Brig in company; the latter I soon came up with, which proved to be "El Vencador," belonging to Bahia, and had been captured, together with the Lugger in company, by the "El Romano" Spanish Privateer, but decidedly a *Pirate*, having broke *bulk* on the cargo of "El Vencador," which he had transferred into the Lugger, and with that Cargo had purchased Slaves, and from information which I had previously received from an American Schooner, neither respected Flag or Nation; I have therefore sent her to Sierra Leone, to be dealt with in the Vice-Admiralty Court accordingly.

I beg leave further to state that on the 8th instant, when at anchor in Port Antonio, Princes Island, I observed a small schooner boat approaching the Harbour, and perceiving her movements to be rather suspicious, I despatched a boat to board her, which was accordingly done; and, much to my satisfaction, they seized her with seventeen Slaves, together with a proportion of ivory, bees-wax, and gum copal, belonging to this Island, and eight days from the Gaboon River, at which Place she had made her purchases.

The Vessel being so exceedingly small, and in such bad condition as to render her totally incapable of performing the Voyage to Sierra Leone, together with the Negroes being in a complete state of starvation, and approaching dissolution, so much so that one died the day on which the Vessel was seized.

From the miserable accommodation on board, and reasons before stated, I have adjudged it absolutely necessary to transfer the Negroes and other cargo on board "El Vencador," with her Papers and the necessary Documents to be delivered over to the Court of Mixed Commissioners at Sierra Leone for adjudication.

*No. 6.—Commodore Bullen to J. W. Croker, Esq.*

*H. M. S. Maidstone, Man of War Bay, St. Thomas,*

(Extract.)

*Sept. 23, 1824.*

I BEG leave to enclose an Extract of a Letter from Captain Woollcombe, stating his having been so fortunate as to capture the "Diana," with 143 Slaves on board, since which (on the 18th instant) he succeeded in detaining "Os dos Amigos Brazilianos," (one of the Vessels boarded by me off Badagry, and reported to their Lordships in my Letter of the 22d July) with 260 Slaves, making in all 740 that this active and valuable Officer has been instrumental in liberating from the worst and most distressing species of Slavery. In his Letter he has detailed the extent of human misery experienced by these unfortunate beings during their passage across the Atlantic; and on

my visiting his last prize, on the 21st, the filthy and horrid state I found her in beggars all description; many females were far advanced in pregnancy, and several had infants of from four to twelve months of age; all were crowded together in one mass of living corruption, and yet this Vessel had not her prescribed complement by nearly one hundred.

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(*Enclosure.*)—*Captain Woollcombe to Commodore Bullen.*

*H. M. S. Victor, Man of War Bay, St. Thomas,*

(*Extract.*)

*Aug. 20, 1824.*

IN obedience to your order of the 29th July last, I yesterday arrived at this anchorage, and immediately commenced watering, which I shall have completed by noon, and shall proceed again to my cruising ground as soon as the boat returns from the town, which takes this up and lands some Portuguese. I have been so fortunate as to seize a Brazilian Brigantine, with 143 Slaves on board at the time of seizure.

Of all vessels I was on board of, this was in the most deplorable condition; the stench from the accumulation of dirt, joined to that of so many human beings packed together in a small space (the men all ironed in pairs) was intolerable; and to add to this scene of misery, the small pox had broken out among them; nine had died before we took possession, and one almost immediately after our first boat got alongside.

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*No. 7.—Acting Captain Wray to J. W. Croker, Esq.*

*H. M. S. Andromache, Port Louis, Mauritius,*

(*Extract.*)

*Sept. 30, 1824.*

CAPTAIN Moorsom not having yet arrived, and a Ship sailing this day for England, I do myself the honour of forwarding, and beg you will lay before their Lordships, a Copy of a Letter written by the late Commodore Nourse in his *rough letter book*, and intended for their Lordships information.

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(*Enclosure 1.*)—*Copy of a Letter written by the late Commodore Nourse in his Rough Letter Book, and intended for the information of the Lords Commissioners of the Admiralty.*

ON the 20th July we anchored off the town of Majunga, and found the *Ariadne*, which had arrived on the 17th, from whose Captain I received a report of his proceedings, and I have the honour to forward a copy of it.

On my arrival at Majunga, I immediately wrote to Mr. Hastie, who had returned with King Radama, and expressed my desire to see him and Radama. Mr. Hastie preceded him two days, and Radama arrived at Majunga on the 25th July, when I visited him, and on the following day he came at my desire early to pass the day with me, in



order to obtain some commercial regulations for the advantage of British Shipping, and the more effectual suppression of the Slave Traffic.

On my return to the camp I addressed Mr. Hastie by Letter, desiring to be informed on the subject of the interesting ceremony just witnessed, particularly that part of it which related to the abandonment of the Slave Trade; and I have the honour to send a Copy of his reply to me, and trust it may be satisfactory to their Lordships that I have accomplished the great object of putting down the traffic in Slaves, so extensively carried on and acknowledged by Adrian Soul in his Dominions, and along the north-west Coast, and this without the loss of lives or plunder of property, which would be punished by Radama with the greatest severity; the depriving the people of their arms, which I strongly recommended him to do, has been done without creating discontent, and will not only secure tranquillity in his newly acquired Dominions, but remove a great medium of barter for Slaves which the Arabs were in the practice of bringing to Majunga from the African Coast, and exchanging for powder and muskets, purchased by the Traders of Majunga from the European Traders, chiefly Americans, who come for hides, tallow, salt, beef and rice.

On the 29th I dispatched the *Ariadne* to Mozambique, with a Letter to the Governor, a Copy of which I enclose for their Lordships information, with directions to Captain Moorsom to look in at Oibo and Zindy, or any other places he might learn Vessels were obtaining Slaves, meeting me at Zanguebar.

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(*Enclosure 2.*)—*Captain C. R. Moorsom to Commodore Nourse.*

(Extract.) *H. M. S. Ariadne, Bembatooka Bay, July 17, 1824.*

It does not appear to me that any regular traffic in Slaves is carried on in the Bays I have visited; but, as I before observed, when Arabs are in the practice of resorting to certain spots, they would doubtless bring Slaves on previous agreement with any Slave dealer.

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(*Enclosure 3.*)—*Mr. J. Hastie, Madagas'car Agent, to Commodore Nourse.*

(Extract.) *Camp at Maronvoie, Aug. 2, 1824.*

FIRST it was the King's most positive command, that none of his Subjects should, under any pretext whatsoever, be removed by sale from the Shores of Madagascar; or that any persons owing allegiance to him should in any way be engaged in that unlawful traffic.

Secondly, he equally positively forbade that his Subjects should be engaged even in Foreign Traffic of that nature, or that Slaves should be introduced into Madagascar; yet he recommended that every conciliatory measure should be resorted to, to induce the free dealer or cultivator of the soil to visit and to settle in his territories.

(Enclosure 4.)—*Commodore Nourse to H. E. Brig. Gen. Jose Manuel de Silva, Governor of Mozambique.*

(Extract.)

*H. M. S. Andromache, July 25, 1824.*

I THINK it proper to bring to your Excellency's notice and serious consideration the constant violation at Mozambique, Oibo, and other Dependencies of your Excellency's Government, of the solemn Treaties entered into between Portugal and Great Britain, it being a notorious fact that, in contravention to the said Treaties, Vessels under the Flag of France have and do continue to obtain Slaves at one or other of the Places under your Excellency's Government; and it is also as notorious that it is the practice, either under the Portuguese or Arab Flag, to convey Slaves from Mozambique to Madagascar, particularly the Port of Bembatoc or Mazungay, and which it is now presumed the efforts of His Britannic Majesty's Squadron will effectually put a stop to, aided by the laws of France and Radama, the King of Madagascar, whose authority is acknowledged on the western Coast, and who is at this moment in the neighbourhood, establishing military posts at this place and others, to seize all vessels that may attempt to debark Slaves on the Coast of Madagascar.

I take leave also to acquaint your Excellency, that by a Treaty recently entered into with the Imaum of Muscat, the traffic in Slaves by his Subjects with all Christians whatever is abolished, and it is agreed they shall be seized by His Britannic Majesty's Ships wherever they may be found; and all vessels under the Arab Flag that may be found with Slaves on board to the eastward of a line drawn from Cape Dolgado, 60 Miles East of Scotia, and to Dice Head, will be seized and confiscated.

I also think it proper to inform your Excellency I have made the chief Ruler of Johanna acquainted, that any traffic in Slaves that he or his Subjects may carry on, and which is pretty well known is done from Mozambique, may bring upon him a renewal of the destructive wars by the people of Madagascar, which were put a stop to solely at the instigation of the English Government, with the understanding for this benefit, 'The People of Johanna should abandon the Traffic in Slaves.'

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*No. 8.—Commodore Bullen to J. W. Croker, Esq.*

*H. M. S. Maidstone, Port Antonio, Princes Island,*

(Extract.)

*Oct. 3, 1824.*

I HAVE the honour to acquaint you, for the information of My Lords Commissioners of the Admiralty, that I weighed from St. Thomas's on the 23d ultimo, and on the 26th, in latitude 1° 33' north, and longitude 7° 7' east, had the good fortune to chase and capture the Avizo, brig, under Brazilian colours, with 465 Slaves on board. This vessel is the consort of the "Two Brazilian Friends," lately captured by

the Victor, and reported to their Lordships in my Letter of the 23rd ultimo, making in all three Vessels belonging to the same firm at Bahia, which have been captured by His Majesty's Ships within the short space of a month, and which I sincerely hope may so discourage that house as to prevent their embarking their Capital for a long period in this abominable and inhuman Traffic.

This Vessel, although she had on board 120 less than directed in her Passport from Pedro, was in a most crowded, wretched and filthy condition, and five Slaves have unfortunately died since capture, caused by their previous confined state and putrid atmosphere. Owing to strong northerly currents and light winds, I have been obliged to repair to this Port to count the Slaves, and put the prize in a fit state to proceed to Sierra Leone for adjudication. This Vessel had on board at the time of capture scarcely twenty days provisions for the Slaves, and less water: how they intended to subsist them until their arrival at Bahia is to me a problem, unless they could have calculated on a great decrease from death. Her boilers were stove in, and rendered in a great measure useless, by order of the Master, who had caused to be drawn up on board (most probably during our chase) and signed by his Officers, a statement purporting that they had been obliged to deviate from the direct course from Molembo, South of the Line, to Bahia; and come to the northward to endeavour to repair their coppers at Prince's Island or St. Thomas's. He also produced a false log, stating a route from Molembo in South Latitude, (in fact the very log he produced to me when boarded off Badagry on the 11th July, but the dates altered) which he has now withdrawn, and acknowledged that he shipped his Cargo at and sailed from Badagry.

*No. 9.—Captain Owen to J. W. Croker, Esq.*

(Extract.) *H. M. S. Leven, Mozambique, October 9, 1823.*

It is my duty to state for the information of My Lords of the Admiralty, that on the Eastern Coast of Africa the Slave Trade has recently received a new impulse for the supply of Brazil. It would appear, that this diabolical commerce is the only one capable of inspiring its miserable remains of Portuguese population with energy and activity. There are in this port seven vessels preparing their cargoes for Rio de Janeiro, one of them of about 600 tons, to carry 1,200 Slaves: the export of Slaves from this Port cannot be less than 15,000 annually.

At Quilliman 16 vessels have taken cargoes within the last year, amounting to 10,000, and the new order of things brought about by the Revolutions in Portugal and Brazil has opened the Ports of Quilliman and Inhamban to a direct communication with the latter,

which enables them to carry on this abominable traffic more advantageously, and to a greater extent.

From Inhamban, however, the trade in Slaves is very limited, compared with that of Mozambique and Quilliman, the neighbouring Tribes being very averse to it; nevertheless wars are excited solely to make Slaves to pay for merchandize. The same also occurs at English River to a still smaller extent, yet sufficiently so to keep the neighbouring Tribes in a ferment and continual state of warfare. The price of a Slave at Quilliman, Inhamban and Delagoa, rarely exceeds two or three Spanish dollars to the Portuguese, who get for them perhaps twenty or thirty from the vessels; much of their gain is necessarily expended for their intermediate subsistence, which however, is scarcely enough to hang soul and body together; and the ships which use this traffic consider they make an excellent voyage if they save one-third of the number embarked to sell at Rio for 150 or 200 Spanish dollars each: some vessels are so fortunate as to save one half of their cargo alive, and their gains become a strong motive to more extensive speculations.

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No. 10.—*Vice Adm. Sir L. W. Halsted to J. W. Croker, Esq.*

*H. M. S. Serapis, in Port Royal Harbour, Jamaica,*

*Nov. 2, 1824.*

SIR,

IN laying before My Lords Commissioners of the Admiralty the enclosed extract of a report from Captain Forbes of the Thracian, relative to the extensive state of the Slave Trade carried on from the Island of Cuba, you will be pleased to acquaint their Lordships that I have for some time past directed the attention of the Commanders of the different Cruizers under my orders to the suppression of this traffic.

I have the honour &c.

*J. W. Croker, Esq.*

L. W. HALSTED.

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(*Enclosure.*)—*Captain Forbes to Vice Adm. Sir L. W. Halsted.*

(*Extract.*) *H. M. S. Thracian, Port Royal Harbour, Oct. 22, 1824.*

I THINK it necessary likewise to inform you, Sir, that Mr. Kilbee, the British Commissary Judge, assured me that 37 vessels had cleared out this year from The Havannah, evidently intended, by their appearance, for the Slave Trade; indeed, I had it from good information that seven sailed in one day for that destination while I was there, and the Columbian Privateers had captured three lately with Slaves actually on board.

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No. 11.—*Vice Adm. Sir L. W. Halsted to J. W. Croker, Esq.*

*Serapis, Port Royal Harbour, Jamaica, Nov. 5, 1824.*

SIR,

HAVING sent the "Grecian" Cutter to cruise off Cape Maize for the suppression of Piracy and the interception of Slave Vessels, I have the honour to enclose herewith, for the information of My Lords Commis-



sioners of the Admiralty, a Copy of a Report from Lieutenant Cawley, containing some information of the mode in which the Slave Trade is carried on.

I have the honour to be, &c,

J W. Croker, Esq.

L. W. HALSTED.

(Enclosure.)—Lieut. Cawley to Vice Adm. Halsted,

SIR,

H. M. C. Grecian, Port Royal, Nov. 4, 1824.

I HAVE the honour to inform you, that in compliance of your orders of 13th September, I sailed from Port Royal, and having landed the Letter at St. Jago de Cuba on the 19th instant, I obtained every possible information relative to the Slave vessels fitting out, and those expected from the Coast of Africa, and found that two brigs and two schooners were at St. Jago's in a state of forwardness for that trade; and that five were daily expected from the Coast of Africa with Slaves; two brigs, I have positive information, have arrived and landed their slaves about eight miles to the eastward of St. Jago's; after having obtained the above information, I immediately proceeded to the eastward, working along shore, and on the morning of the 20th, at 8. 15, I observed a brig close under the land, about ten miles to leeward of Cumberland Harbour, where, I since learnt, she that morning came out of; having made all sail in chase, we succeeded in coming within three miles of her; at 2. 45. P. M. the breeze freshening, we gradually gained on her: on finding that, she hauled more to the wind, and hoisted Dutch colours, and shortly after cut away her stern boat, and threw overboard a quantity of lumber; at 9. P. M. the breeze moderated, and a dark cloudy night succeeded, when we entirely lost sight of her, we still proceeded on for a while, but could get no sight of her; 9. 30. having run her about 120 miles to leeward of my cruising ground, I reluctantly gave her up, though at the time I considered her to be a vessel that took us to be a pirate, which has frequently been the case with other vessels; I therefore tacked and proceeded without delay to my Station. On the 15th October I went into Cumberland Harbour, where I boarded the brig "Argo" James Brown, Master, from Liverpool, who gave me the following information; that on the 15th last month, a brig hove to off Cumberland Harbour, which sent a boat on board the Argo to borrow a chart of St. Jago's, where she said she was bound to, and that she was a Dutch brig from Amsterdam and Bremen, laden with butter and cheese, the brig then came to on the eastern side of the harbour, and the next day hauled into the creek, where the Argo was lying; the Master of the Argo then found she was a Slave vessel from the coast of Africa, with 414 Slaves on board, and that she had when she left the Coast about 500 Slaves and sixteen Seamen, but had lost in the voyage 12 Seamen and

about 87 Slaves ; she put into Cumberland Harbour for orders and there received a pilot and four men to assist in taking her to St. Jago, likewise a Clerk belonging to one of the Owners ; she was a brig of 180 tons, commanded by a Dutchman, with four mounted guns and six quakers, very sharp in the bows, and very low, and had very square sails ; sailed remarkably well. She made the Island of Jamaica the morning after we chased her, and the day after made Cuba, and was seven days beating up to St. Jago's, ten miles to the eastward of which she landed her Slaves, having lost 37 Slaves since she left Cumberland Harbour. Captain Brown had the above intelligence from the Pilot that was on board the brig when she was chased, and was then employed in conveying part of her cargo to different parts in the interior of the Island ; the Pilot said they saw the cutter the night before, and suspecting her to be a vessel of war, got under weigh immediately, depending entirely on the superiority of her sailing having been chased by several men of war.

I have the honour to be, &c.

V. Adm. Sir L. W. Halsted.

JOHN CAWLEY.

No. 12.—*Commodore Bullen to J. W. Croker, Esq.*

SIR,

*H. M. S. Maidstone, Sierra Leone, Nov. 10. 1824.*

I BEG leave to acquaint you, for the information of My Lords Commissioners of the Admiralty, that in compliance with their Letter No. 15, of the 9th September 1824, respecting the three English vessels, *Ranger*, *St. George* and *Caledonia*, stated on the part of the French Government to be engaged in the Slave Trade, I have made every inquiry into the circumstances therein stated, and from having met with the whole of these vessels, and had frequent communications with the Owner of the two first, who commands the *Ranger*, (Mr. Spence,) I think I can convince their Lordships, that so far from being engaged in the Slave Trade, they have been particularly instrumental in discouraging it, in confirmation of which I beg to refer their Lordships to the Commissioners General Report of the Slave Trade, dated Sierra Leone, 29th April 1823, in which the services of Mr. Spence, his integrity and humane conduct, are spoken of in such strong terms of approbation as to need no comment from me. In furtherance of his project of establishing his factory in the River Sestos, he purchased the *St. George*, (formerly the *Fabiana* condemned Slave vessel,) which is at this moment chartered by Government, and obtaining rice, &c. for the support of the Colony. There are at all periods a very considerable number of Kroomen at Sierra Leone who are particularly attached to the English, and are employed on board His Majesty's Ships and also the several Merchant Vessels that arrive on the Coast, and it is their custom to return at particular seasons to their own Country, from whence others are continually arriving. As Mr. Spence

keeps up a constant communication with his factory, which borders on the Kroo Country, he seldom sails without having from 40 to 50 of those people on board, whom he takes down for two dollars each, they preferring this mode of conveyance (he being a great favourite with them) to their passage along shore in their canoes; from this circumstance has arisen the statement of so many Blacks being seen on board, but surely the French Officers who boarded the *St. George* off Cape Mount (not I imagine Cape Palmas,) could not well mistake Kroomen, (who are fine, clean, well grown men) for Slaves.

The *Ranger* left Sierra Leone on the 24th August for England, and to her Master I entrusted my public Despatches, he having on this Coast a most excellent character.

On my arrival at Accra the 4th June, I found the *Caledonia* deeply laden with palm oil, ivory and gold dust, on her way to England, having completed her trade on the Coast, and certainly bore no appearance of a Slave Vessel; she is a regular trader, belongs I understand to a most respectable house, and by her I reported my proceedings to their Lordships, which have been received and acknowledged. This unfounded charge has in my opinion been merely exhibited by the Commander of the French Squadron on this Coast, to endeavour by a counter statement to palliate the infamous conduct of his Countrymen, who openly avow their participation in the Slave Trade, and of whom I have had the honour to transmit to their Lordships the most complete details.

I have the honour to be, &c.

*J. W. Croker, Esq.*

CHARLES BULLEN.

No. 13.—*Captain Courtenay to J. W. Croker, Esq.*

*H. M. S. Owen Glendower, Cape Coast Roads,*

(Extract.)

*February 22, 1824.*

I SAILED upon the 14th December, and proceeded, after touching at Accra for supplies without loss of time to the Bight of Benin, and on the 25th December searched the river Formosa, where I found a brig under the Flag of the Provisional Government of Pernambuco, with a passport for 202 Slaves, but having none on board, and only arrived two days; I did not molest her, intending to return at the new moon, by which time I was informed she would in all probability have completed her cargo, and would take advantage of the springs to cross the bar. I learned from a British merchant Brig, that a sloop under the same Colours had left the river only two days before my arrival with a full cargo of 198 Slaves for Pernambuco. From the river Formosa I proceeded to the Bonny and New Calabar, where no Slave vessel whatever was found; and, by the accounts given by the Master of an English palm-oil ship, none for a length of time had been there, the last having sailed the latter end of October under

**Spanish Colours with 300 Slaves.** The Master of the Palm-oil ship alluded to having received very recent information from old Calabar, that no vessel whatever was in that river, I proceeded to Fernando Po; leaving Fernando Po, I visited the Camaroon River, which I likewise found clear of Slaves; from which it may be inferred the Slave Trade in the Bight of Biafra is much on the decline, as formerly these Rivers were very seldom without several Spaniards and Frenchmen employed in that traffic.

I was under the necessity of returning to windward, and revisited the River Formosa January 28, when I found the Portuguese alluded to had sailed without her cargo, in consequence of a boat's crew having been left on board the British Ship Fletcher to intercept her (by the Swinger.)

Upon the 30th January, I found at anchor off Largos, a ship, brig and schooner, under a green flag pierced with yellow, with arms in the centre surmounted by an Imperial Crown; on examination, they proved to be from the Port of Bahia, with Passports, from the Personage who styles himself Emperor of The Brazils, to carry the number of Slaves as per margin from Molembo.\* Not being aware that His Majesty's Government has in any way recognized the right of the Emperor of Brazil to grant Passports for the Slave Trade, I considered the Convention of January 22, 1815, regulating the traffic in Slaves, still permitted to the Portuguese, to be in full force, as regards His Faithful Majesty's revolted Subjects in The Brazil; under this impression I took possession of the three vessels in question.

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*No. 14.—Commodore Bullen to J. W. Croker, Esq.*

(Extract.) *H. M. S. Maidstone, Sierra Leone, Nov. 22, 1824.*

THE "Swinger" sailed on the 17th instant on a cruize in the Bights of Benin and Biafra, where I have also ordered the "Bann" to remain for the present, feeling convinced from the extensive list of vessels under the Spanish Flag, which their Lordships have acquainted me are intended for this Coast and the Slave Trade, that it is highly necessary to keep a vigilant look out there.

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*No. 15.—Vice Adm. Sir L. W. Halsted to John Wilson Croker, Esq.*

*H. M. S. Serapis, Port-Royal Harbour, Jamaica,*

(Extract.)

*Dec. 19, 1824.*

I BEG also to add a Copy of some intelligence respecting Slave Vessels, obtained by Captain Stoddart from the Officers of the Brig he detained.

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*(Enclosure.)—Intelligence obtained respecting Slave Vessels.*

SEVERAL Slave vessels are expected about this time, but there is

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\* Ship Minerva, 270 tons, Passport for 675 Slaves. Brig Cerqueira, 304 tons, Passport for 761 Slaves. Schooner Arola, 108 tons, Passport for 270 Slaves.



reason to believe that a small schooner is employed cruising off Cape Maize to give information of any cruizers that may be off the Coast. The Slave Vessels which land their cargoes on the southern side of the Island generally refit at St. Jago. A schooner had landed 140 Slaves near to St. Jago about the 7th, and afterwards went into that Port. Three vessels were fitting out at St. Jago for the Slave trade, and were expected to sail in the course of a week : these vessels generally cleared out for one of the West-India Islands. It is an invariable rule with Slave Vessels to have as little intercourse as possible with any other Vessel, and even on the Coast of Africa they avoid communicating with each other,

*H. M. S. Primrose, Dec. 19, 1824.* J. STODDART, Commander.

No. 16.—*Vice Adm. Sir L. W. Halsted to J. W. Croker Esq.*

*H. M. S. Serapis, Port-Royal Harbour, Jamaica,*

SIR,

*January 12, 1825.*

I HAVE the honour to transmit, for the information of My Lords Commissioners of the Admiralty, a Copy of a Letter with several Enclosures from Lieutenant Cawley of the Grecian, reporting that the Columbian Cruizer *Zulmé* had boarded a suspicious Vessel he was in chase of on the 2d instant, off the west end of St. Domingo, which proved to be the Schooner "*Zee Bloem*," under Dutch Colours, from St. Jago de Cuba, bound to St. Eustatia and had sent her into Carthagena for adjudication, from having first boarded the said Schooner, and in consequence also of her having thrown over board a set of Spanish Papers during the chase.

The several Enclosures (some of which are Copies of Letters broken open by the Captain of the *Zulmé*) will point out pretty clearly to their Lordships the mode in which the Slave Trade is carried on, and leave little doubt at the same time of the Schooner in question having recently landed a Cargo of Slaves on Cuba ; whilst from the complete state of her equipment, and the arrangements made by the parties interested, there is every reason to suppose when she was detained she was proceeding to St. Eustatius, preparatory to her making another voyage to the Coast.

There are also amongst the Enclosures a Letter which will not escape their Lordships attention, stating the publicity in some measure of Negro Sales, and the landing of the Cargo of the French brig "*Les Deux Nantois*," which was lately detained by the *Primrose*, and subsequently liberated ; and also detailing the favourable result of the Sales of the Negroes at St. Jago de Cuba during the season, and soliciting a few more shipments of that sort.

I have, &c.

L. W. HALSTED.

[For the Enclosures in this Letter, see Page 245.]

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## B.

## INSTRUCTIONS TO NAVAL OFFICERS.

No. 1.—*John Barrow, Esq. to Captain Sir John Phillimore.*

SIR, *Admiralty Office, May 13, 1824.*

IN reference to the order of My Lords Commissioners of the Admiralty, directing you to proceed to the African Coast, I am commanded by their Lordships to transmit to you Copies of the Treaties which have been entered into with Spain, and Portugal, and The Netherlands, for the prevention of an illicit traffic in Slaves, with Copies of three Acts of Parliament relating to them, and Instructions signed by their Lordships, authorizing you to search Vessels bearing those Flags; in doing which, as well as in the whole of your conduct towards such Vessels, you are to be strictly governed by the said Treaties and the Instructions attached to them.

And you will likewise received herewith, Abstracts or Copies of the several Acts of Parliament, prohibiting the traffic in Slaves by His Majesty's Subjects,

[N. B.—*A similar Letter was addressed on the 23rd Nov. 1824, to Cap. Murray, of H. M. S. Atholl.*]

No. 2.—*John Barrow, Esq. to the Commanding Officers of H. M. Ships and Vessels,—Coast of Africa, West Indies, South America, Cape of Good Hope, and East Indies.*

SIR, *Admiralty Office, May 19, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to signify their direction to you, to address and deliver to each of the Commanders of the Ships and Vessels under your orders, one of the enclosed printed Letters, containing directions in regard to the ascertaining and affording proof of the number of Slaves who may be on board captured Slave Ships at the moment of the capture.

And you will likewise observe these directions, in the event of the detention of any Slave Vessel by the Ship you command.

I am, &c.

JOHN BARROW.

N. B.—*The last paragraph was omitted in the Letters to the Commanding Officers on the South-American and West-India Stations.*

(Enclosure.) *Instructions to the Commanders of Ships and Vessels.*

SIR, *Admiralty Office, May 13, 1824.*

IN reference to the Instructions which you have received relative to Vessels belonging to certain Foreign Nations, with which Treaties have been concluded by this Country for the prevention of an illicit traffic in Slaves, I am commanded by My Lords Commissioners of the Admiralty to signify their direction to you, in the event of your

detaining any Vessel of those Nations, agreeably to the provisions of the said Treaties, to ascertain with precision, on the instant of the capture, the number of the Slaves that may be on board such Vessels, in the presence of the Masters or principal Person or Persons of those Vessels, who may be intended to be sent before the Mixed Court as Witnesses, in order that these Persons may thus be enabled to satisfy the enquiries of the Commissioners upon the point in question.

It is their Lordships further direction, that you pay strict attention to a compliance with that part of the signed Instructions, which requires that the Captor of a Slave Ship shall deliver to the Master of the detained Ship, a signed Certificate of the Papers seized on board the said Ship, *as well as of the number of Slaves found on board at the moment of detention.*

And you are on all occasions of capture, to take the most efficacious measures, in order that the best possible proof may be afforded to the Commissioners as to the number of the Slaves on board Slave Ships detained by you.

I am, &c.

JOHN BARROW.

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No. 3.—*John Barrow, Esq. to Commodore Bullen, commanding H. M. Ships and Vessels on the Coast of Africa.*

SIR,

*Admiralty Office, July 7, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you a Copy of a Letter from Mr. Planta, and an Extract of one from a Gentleman at The Havannah, containing intelligence respecting some Vessels employed in the Slave Trade.

I am &c.

*Commodore Bullen.*

JOHN BARROW.

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(Enclosure 1.)—*Joseph Planta, Jun. Esq. to the Secy. to the Admiralty.*

SIR,

*Foreign Office, June 26, 1824.*

I AM directed by Mr. Secretary Canning to acquaint you, for the information of the Lords Commissioners of the Admiralty, that by advices from His Majesty's Commissary Judge at The Havannah, it appears that on the 14th of April 1824, the Brig Conquistador, Don Nicolas Escala, Master, and the Schooners Nicanor and Ninfa Habanera, Don Domingo Acue and Don Francisco Lourien, Masters, sailed from The Havannah for the Coast of Africa.

I am, &c.

*The Secretary to the Admiralty.*

JOSEPH PLANTA, Jun.

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(Enclosure 2.)—*Letter from a Gentleman at The Havannah to Mr. Secretary Canning.*

(Extract.)

*Havannah, May 16, 1824.*

SINCE the date of my Despatch, No. 5, two Spanish Vessels, namely



the Brig Teresa, Don Juan Sandrino, Master, and the Schooner Socorro, Don Gabriel Castillo, Master, have entered this Port from the Coast of Africa. Two others have cleared out for that Coast, namely, the Brig Victoria, Don Jose de la Puente, and the Schooner Relampago, Don Jose Garay, Master.

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No. 4.—*J. W. Croker, Esq. to the Commanding Officers of H. M. Ships and Vessels, Coast of Africa, West Indies, South America, Cape of Good Hope, and East Indies.*

SIR, *Admiralty Office, August 12, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you, for your information and guidance, and for distribution to the Commanders of the Ships and Vessels under your orders, Copies of an Act, 5 Geo. IV. c. 113, intituled, "an Act to amend and consolidate the Laws relating to the abolition of the Slave Trade."

I am, &c.

J. W. CROKER.

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No. 5.—*J. W. Croker, Esq. to Commodore Bullen, or the Senior Officer commanding H. M. Ships and Vessels on the Coast of Africa.*

SIR, *Admiralty Office, August 21, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you Copies of a Letter and its Enclosure, from His Majesty's Consul at Cadiz, respecting two Vessels, called the Bella Dolores and the Alerta, said to be fitting out at that Port for the Slave Trade.\*

I am, &c.

J. W. CROKER.

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No. 6.—*John Barrow, Esq. to Commodore Bullen, commanding H. M. Ships and Vessels on the Coast of Africa.*

SIR, *Admiralty Office, September 9, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you a Copy of a Letter from the Secretary of the Treasury respecting three English Vessels, the St. George, Caledonian and Ranger, which are stated to have been lately engaged in the Slave Trade; and I am to signify their Lordships direction to you to use your endeavours to trace those Vessels, and to report, for their Lordships information, the result of your inquiries.

I am, &c.

JOHN BARROW.

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(Enclosure)—*George Harrison, Esq. to the Secy. to the Admiralty.*

SIR, *Treasury Chambers, September 8, 1824.*

HAVING laid before the Lords Commissioners of His Majesty's Treasury a Letter of the 2d instant, from Lord Howard de Walden, transmitting by direction of Mr. Secretary Canning, Copy of a Despatch

from Sir Charles Stuart, His Majesty's Ambassador at Paris, with a Statement on the part of the French Government, purporting that three English Vessels had recently been seen engaged in the Slave Trade; I am commanded by My Lords to communicate to you, for the information of the Lords Commissioners of the Admiralty, the names and descriptions of the Vessels alluded to as hereunder mentioned, and for such Instructions as Their Lordships may think it right to give to their Cruizers upon the subject.

The St. George, Captain Michael Graeffe, seen the 17th of February, near the "Cap des Palmes" having on board about 30 Blacks.

The Caledonian, of London, Captain Bing. The equipment and arming of this Vessel are stated to be such as to leave no doubt of her character and destination.

The Ranger of London, stated to have been seen on the 16th of April, between the Capes of de Monte and Mesurado, having on board a considerable number of Blacks.

I am &c.

*The Secretary to the Admiralty.*

GEO. HARRISON.

No. 7.—*John Barrow, Esq. to Commodore Bullen, commanding H. M. Ships and Vessels on the Coast of Africa.*

SIR, *Admiralty Office, September 23, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you an Extract of a Letter from a Gentleman at The Havannah to Mr. Secretary Canning, with a Copy of the list therein referred to, of Vessels which have cleared out from that Port for the Coast of Africa.\*

I am &c.

JOHN BARROW.

No. 8.—*John Barrow, Esq. to Commodore Bullen, commanding H. M. Ships and Vessels on the Coast of Africa.*

SIR, *Admiralty Office, September 25, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you Copies of a Letter, and its Enclosures, from Mr. Planta, containing information relative to a traffic in Slaves, stated to be carried on at the Cape de Verd Islands.

I am, &c.

JOHN BARROW.

(Enclosure 1.) *Joseph Planta, Jun. Esq. to the Secretary to the Admiralty.*

SIR, *Foreign Office, September 13, 1824.*

I AM directed by Mr. Secretary Canning to send to you, to be laid before The Lord Commissioners of the Admiralty for their Lordships information, the accompanying Extract and Copy of Letters from Mr. Clark, His Majesty's Consul at the Cape de Verds, containing intelligence respecting a Traffic in Slaves, which is represented to be carried on in those Islands by a person of the name of Brandoun, who now

\* See Page 151.

trades in a small Schooner called the *Liberale*, and is proceeding to The United States of America to purchase a large Vessel for a similar purpose.

I am, &c.

*The Secretary to the Admiralty.*

JOSEPH PLANTA, Jun.

(*Enclosure 2.*)—*Mr. Consul Clarke to Mr. Secy. Canning.*

(Extract.)

*Villa da Praia, St. Jago's, May 26, 1824.*

SINCE I last had the honour of addressing you, my attention has been particularly directed to the Slave Trade, and I have now discovered that there is a constant Importation of Slaves from Bissao, one of the Portuguese Settlements, to this Island, by a person of the name of Brandoun, and who, I am credibly informed, has once been captured by His Majesty's Cruizers on the Coast. The same person last week brought over in a small Schooner, called, I believe, the *Liberale*, of less than 100 tons, 90 Slaves; and the way the Traffic is carried on is, by having a temporary deck from the hold, where these poor wretches are confined, if necessary, on the event of being chased by any Cruizers, and above them appears a Cargo of rice and wax. This person sailed again on the 24th for the Coast, and I have little doubt but he will return in a few weeks, his residence being on this Island. They are landed six or seven miles to the windward of *Villa da Praia*; sometimes four miles to leeward, in a little Bay called St. Martin's.

His Majesty's Government may rely on my exertions in gaining every intelligence, and communicating the same by the earliest conveyance, which I regret is very indirect.

(*Enclosure 3.*)—*Mr. Consul Clarke to M. Secy. Canning.*

SIR,

*Villa da Praia, St. Jago, June 24, 1824.*

SINCE my Letter of the 26th ultimo, wherein I stated, for the information of His Majesty's Government, that a system of Traffic for Slaves was carrying on from the Coast to these Islands, and having stated my suspicions that the same Vessel would return with another Cargo in a few weeks,—they have been fully realized; for on the night of Sunday the 20th instant, upwards of 40 of these poor unfortunate beings were landed again from the said Vessel, she having returned from Bissao, after a lapse of only three weeks; and from the information I am able to obtain, the Master sails from this Place for the Island of St. Thomas's, one of the Portuguese Settlements on the Coast, and thence to America, expressly to purchase a larger Vessel; and, as I am informed, to be well armed, to carry on this illicit Traffic with greater effect. Having little or no communication with the Coast, I regret I am not enabled to carry His Majesty's Instructions into effect, by giving the necessary information to the Commodore of His Majesty's Squadron, or to any of His Majesty's Cruizers on that Station, not one having been within my Consulate since my arrival here.

I have, &c.

*The Right Hon. George Canning.*

J. P. CLARKE,

No. 9.—*John Barrow, Esq. to Commodore Bullen, commanding H. M. Ships and Vessels on the Coast of Africa.*

SIR, *Admiralty Office, October 14, 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you a Copy of a Letter from His Majesty's Consul at Cadiz, to Mr. Secretary Canning, relative to the Spanish Schooner "Segunda Gallega," which has sailed from that Port, and is supposed to have proceeded to the Coast of Africa for the purpose of engaging in the Slave Trade.

I am, &c.

*Commodore Bullen.*

JOHN BARROW.

(*Enclosure.*)—*Mr. Consul Brackenbury to Mr. Secretary Canning.*

SIR, *British Consulate, Cadiz, Sept. 13, 1824.*

I had the honour to make known to you, on the 31st July, that a Spanish Schooner called the "Segunda Gallega" was fitting out here as a Slave Ship, which fact I also communicated to His Excellency Sir William à Court.

Orders subsequently arrived from Madrid to suspend the sailing of the Schooner, and she remained here in consequence of those Orders until the 11th Instant, when she sailed nominally for St. Thomas's, Porto Rico, and Havannah; those, however, who are best informed upon these points assure me, that there is no doubt of her having sailed to the Coast of Africa for a cargo of Slaves.

I have the honour, &c.

*The Right Hon. George Canning.*

J. M. BRACKENBURY.

No. 10.—*John Barrow, Esq. to Commodore Bullen, commanding His Majesty's Ships and Vessels on the Coast of Africa.*

SIR, *Admiralty Office, December 16th 1824.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you a Copy of a Letter from a Gentleman at The Havannah\*, containing an account of three Vessels which have recently cleared out from that Port for the Coast of Africa.

I am, &c.

*The Right Hon. George Canning.*

JOHN BARROW.

No. 11.—*John Barrow, Esq. to Captain Purchas, of H. M. Sloop Esk.*

SIR, *Admiralty Office, January 8 1825.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you, for your information and guidance, a Copy of an Act, 5 Geo. IV. c. 113. intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave Trade;" and with reference to the Treaties which have been entered into with Spain, and Portugal, and The Netherlands, for the prevention of an illicit traffic in Slaves, and of which Copies are contained in the said Act, I am also to enclose to you three Instructions, signed by their Lordships, authorizing you, in conformity



with the Treaties, to search Vessels bearing those Flags; in doing which, as well as in the whole of your conduct towards such Vessels, you are to be strictly governed by the said Treaties and the Instructions attached to them.

JOHN BARROW.

*N. B.—A similar Letter was addressed on the 19th of February, 1825, to Lieut. Chrystie, commanding, H. M. Gun Brig Conflict.*

*No. 12.—Instructions issued by the Lords Commissioners to Commodore Christian, as Commanding Officer of H. M. Ships and Vessels at the Cape of Good Hope.*

(Extract.)

*Admiralty, February 5, 1825.*

You are to appropriate at least one of the Squadron under your Orders for the duties of the Isle of France; and you will particularly direct the attention of the Officer commanding the Ship or Ships stationed at the said Island, to the affording to the Governor all the assistance in his power towards the prevention of a traffic in Slaves.

For the more effectual performance of this Service, you are to observe, that in addition to the signed Instructions which that Officer will have received in common with the other Ships on the Station, respecting Spanish and Portuguese Ships trading in Slaves, he is also to be furnished with the signed Instruction relative to Vessels engaged in such trade under the *Dutch* Flag, which, under the limitation of the number of His Majesty's Ships which may be furnished with such Instruction, has been issued to the Squadron on the Cape Station; and that upon any change of the Ship assigned to the service of the Isle of France, this Instruction is to be successively transferred to the Commander of the Ship arriving to replace the former, with an alteration of the address of the Instruction.

You will observe and signify the same to the Captains and Commanders under your orders, that Vessels of the Three Nations above mentioned, captured for illicit trafficking in Slaves, are to be sent for adjudication to the following Places, at which Courts have respectively been established for the Trial of Offences of that description; viz.—

Ships of any of the *Three Nations* to Sierra Leone, or *Spanish* Ships to The Havannah; and *Dutch* Ships to Surinam.

*No. 13.—Letter issued to the Commanders of all such of His Majesty's Ships and Vessels as have been ordered, from the 30th of April to the 24th of November 1824, to proceed to the West Indies, South America, Cape of Good Hope, and East Indies.*

SIR,

*Admiralty Office.*

IN reference to the Order of My Lords Commissioners of the Admiralty directing you to proceed to the ——— Station, I am commanded by their Lordships to transmit to you Copies of the Treaties which have been entered into with Spain and Portugal for the prevention

of an illicit traffic in Slaves, with Copies of two Acts of Parliament relating to them, and Instructions signed by their Lordships authorizing you to search Vessels bearing those Flags; in doing which, as well as in the whole of your conduct towards such Vessels, you are to be strictly governed by the said Treaties, and the Instructions attached to them.

You will likewise receive herewith Abstracts or Copies of the several Acts of Parliament prohibiting the Traffic in Slaves by His Majesty's Subjects.

The foregoing Letter, with the Documents therein referred to, have been issued between the 30th of April and the 24th of November 1824, to the Commanders of the following Ships and Vessels of His Majesty :

Rattlesnake, Jaseur, Dartmouth, Primrose, Britomart, Valorous, Blanche, Beaver.

*No. 14.—Letter issued to the Commanders of all such of H. M. Ships and Vessels as have been ordered, from the 24th of Nov. 1824, to the 19th of March, 1825, to proceed to the West Indies, South America, Cape of Good Hope, and East Indies.*

SIR,

*Admiralty Office.*

I AM commanded by My Lords Commissioners of the Admiralty to transmit to you, for your information and guidance, a Copy of an Act, 5 Geo. IV. c. 113, intituled, "An Act to amend and consolidate the Laws relating to the abolition of the Slave Trade;" and with reference to the Treaties which have been entered into with Spain and Portugal for the prevention of an illicit traffic in Slaves, and of which Copies are contained in the said Act, I am also to enclose to you two Instructions signed by their Lordships, authorizing you, in conformity with the Treaties to search Vessels bearing those Flags; in doing which as well as in the whole of your conduct towards such Vessels, you are to be strictly governed by the said Treaties and the Instructions attached to them.

The foregoing Letter, with the Documents therein referred to, have been issued between the 24th of November 1824 and the 19th of March 1825, to the Commanders of the following Ships and Vessels of His Majesty :

Scylla, Boadicea, Lively, Owen Glendower, Samarang,

*AN ACT to regulate the Payment of Salaries and Allowances to British Consuls at Foreign Ports, and the Disbursements at such Ports for certain Publick Purposes.\**

*[5th July 1825.]*

WHEREAS the provision which hath been hitherto made for the

\* 6 Geo. IV. Cap. 87.

maintenance and support of the Consuls-General and Consuls appointed by His Majesty to reside within the Dominions of Sovereigns and Foreign States in Amity with His Majesty, out of the Money applicable under the Third Class of His Majesty's Civil List, as specified in the Schedule annexed to an Act made in the First Year of His Majesty's Reign (Cap. 1) intituled *An Act for the Support of His Majesty's Household, and for the Honour and Dignity of the Crown of The United Kingdom of Great Britain and Ireland*, is inadequate to the maintenance and support of such Consuls-General and Consuls; and it is expedient to make further and due provision for that purpose; Be it therefore enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That it shall and may be lawful for His Majesty, by any Order or Orders to be issued by and with the advice of His Privy Council, to grant to all or any of the Consuls-General or Consuls appointed by His Majesty to reside within any of the Dominions of any Sovereign or Foreign State or Power in amity with His Majesty, such reasonable Salaries as to His Majesty shall seem meet, and by and with such advice as aforesaid, from time to time to alter, increase, or diminish any such Salaries or Salary as occasion may require.

II. And be it further enacted, That such Salaries shall be issued and paid to such Consuls-General and Consuls without fee or deduction: Provided always, that all such Salaries as aforesaid be granted for and during His Majesty's pleasure, and not otherwise, and be held and enjoyed by such Consuls-General and Consuls as aforesaid, so long only as they shall be actually resident at the Places at which they may be so appointed to reside, and discharging the duties of such their Offices; Provided nevertheless, that in case His Majesty shall, by any Order to be for that purpose issued through One of His Principal Secretaries of State, grant to any such Consul-General or Consul as aforesaid leave of absence from the Place to which he may be so appointed as aforesaid, such Consul-General or Consul shall be entitled to receive the whole or such part as to His Majesty shall seem meet, of the Salary accruing due and payable during and in respect of such period of absence as aforesaid.

III. And be it further enacted, That the Salaries so to be granted by His Majesty as aforesaid shall be taken and received by the said Consuls-General and Consuls in lieu of and as a compensation for all Salaries heretofore granted to them or any of them, and all Fees of Office and Gratuities heretofore demanded, received, or taken by them of or from the Masters or Commanders of *British Ships and Vessels*, or of or from any other Persons or Person, for or in respect of any Duties or Services by such Consuls-General or Consuls done, performed, or rendered, for or to any such Masters or Commanders, or other Person

or Persons as aforesaid; and that no such Consuls-General or Consuls as aforesaid shall, from and after the first day of *January* 1826, be entitled for or by reason or on account of any act matter or thing by him done or performed in the execution of such his Office, or for or on account of any service by him rendered to any Masters or Commanders of *British* Ships or Vessels, or to any other Person or Persons, in the execution of such his Office, to ask, demand, have, receive, or take any fees, recompence, gratuity, compensation, or reward, or any sum or sums of money, save as hereinafter is excepted.

IV. Provided always, and be it further enacted, That it shall and may be lawful for all Consuls-General and Consuls appointed by His Majesty, and resident within the Dominions of any Sovereign, or any Foreign State or Power in amity with His Majesty, to accept, take, and receive the several fees particularly mentioned in the Tables to this present Act annexed, marked with the Letters ( A. ) and ( B. ) for and in respect or on account of the several matters and things, and official acts and deeds particularly mentioned in the said Schedules; and that it shall and may be lawful for His Majesty, by any Order or Orders to be by Him made, by and with the advice of His Privy Council, from time to time, as occasion may require, to increase or diminish, or wholly to abolish, all or any of the fees aforesaid, and to establish and authorize the payment of any greater or smaller or new or additional fees or fee, for or in respect of the several matters and things mentioned in the said Schedules or any of them, or for or in respect of any other matters or things or matter or thing to be by any such Consul-General or Consul done or performed in the execution of such his Office.

V. And be it further enacted, That in case any Consul-General or Consul, appointed by His Majesty as aforesaid, shall, by himself or deputy, or by any person authorized thereto in his behalf, ask, demand, receive, take, or accept, for or by reason or on account of any matter or thing by him done or performed in the execution of such his Office, or for or on account or under pretence or by reason of any service or duty by him rendered, done, or performed, in such his Office for any person or persons whomsoever, any other or greater fee, reward, gratuity, gift, or remuneration, than is mentioned and specified in the said Schedule, or than shall be sanctioned and specified in or by any such Order or Orders in Council as aforesaid, the person or persons so offending shall forfeit and become liable to pay to His Majesty, His Heirs and Successors, any sum of sterling *British* Money, not exceeding the amount of the Salary of such person for one Year, nor less than the twelfth part of such annual Salary, at the discretion of the Court in which such penalty may be recovered, and shall moreover upon a second conviction for any such offence forfeit



such his Office, and for ever after become incapable of serving His Majesty in the same or the like Capacity.

VI. And be it further enacted, That a printed Copy of the Tables of Fees allowed by this Act, or which may or shall be sanctioned or allowed by any Order to be made in pursuance of this Act, by His Majesty in Council, shall be exhibited in a conspicuous manner, for the inspection of all Persons, in the Custom House in the Port of *London*, and in all other Custom Houses in the several Ports and Harbours of The United Kingdom of *Great Britain* and *Ireland*; and that printed Copies thereof shall, by the Collector or other chief Officer of Customs in all such Ports and Harbours as aforesaid, be delivered gratuitously, and without fee or reward, to every Master or Commander of any Ship and Vessel clearing out of any such Port or Harbour, and demanding a Copy thereof.

VII. And be it further enacted, That a Copy of the said Schedule or Table of Fees to this present Act annexed, or which may be established and authorized by any such Order or Orders in Council as aforesaid, shall be hung up and exhibited in a conspicuous place in the publick Offices of all Consuls-General or Consuls appointed by His Majesty, in the Foreign Ports or Places to which they may be so appointed, for the inspection of all persons interested therein; and any Consul-General or Consul omitting or neglecting to exhibit any such Copy of the said Schedules in such his Publick Office, or refusing to permit the same to be inspected by any person or persons interested therein, shall for every such Offence forfeit and pay a sum of *British* Sterling Money not exceeding one half the amount of the Salary of such person for one year, nor less than the twelfth part of such annual Salary, at the discretion of the Court in which such Penalty may be recovered.

VIII. And whereas it is expedient that His Majesty should be enabled to grant to the said Consuls-General and Consuls, appointed as aforesaid, Allowances in the nature of Superannuation or reward for meritorious publick services, Be it further enacted, That all the clauses, provisions, rules, regulations, restrictions, conditions, and forfeitures contained and declared in an Act passed in the 50th Year of the Reign of His late Majesty King *George* the Third, (Cap. 117.) intituled *An Act to direct that Accounts of Increase and Diminution of publick Salaries, Pensions, and Allowances should be annually laid before Parliament, and to regulate and controul the granting and paying of such Salaries, Pensions and Allowances*; and in another Act passed in the Third Year of the reign of His present Majesty, (Cap. 113.) intituled *An Act to amend an Act passed in the 50th Year of His late Majesty, for directing that Accounts of Increase and Diminution of public Salaries, Pensions and Allowances, shall be annually laid*

*before Parliament, and for regulating and controlling the granting and paying of such Salaries, Pensions and Allowances; and in another Act passed in the 5th Year of the reign of His present Majesty, (Cap. 104.) intituled An Act to amend an Act of the Third Year of His present Majesty, respecting Superannuation Allowances, shall be and the same are hereby extended to the said Consuls-General and Consuls, so far as such Clauses, provisoes, rules, regulations, restrictions, conditions, penalties, and forfeitures, can be applied to the Cases of such several persons respectively, as fully and effectually to all intents and purposes as if the same were repeated and re-enacted in this present Act.*

IX. Provided always, and be it further enacted, That if it shall at any time happen that by reason of any War which may hereafter arise between His Majesty and any Sovereign, or Foreign State or Power, within the Dominions of whom any such Consul-General or Consul as aforesaid shall be appointed to reside, he shall be prevented from residing, and shall in fact cease to reside, at the Place to which he may be so appointed, it shall and may be lawful for His Majesty, by any Order to be issued by and with the advice of His Privy Council to grant to any such Consul-General or Consul, who may have served His Majesty in that capacity for any period not less than three Years nor more than ten Years next preceding the commencement of any such War as aforesaid, a special Allowance not exceeding the proportion of their respective Salaries to which such Consuls-General and Consuls would be entitled under the provisions of the said recited Act of the third Year of His present Majesty's Reign, in case the period of their respective Service had exceeded ten Years and had not exceeded fifteen Years; Provided always, that in case any such Consul-General or Consul shall have served in such his Office for the space of ten Years and more, it shall and may be lawful for His Majesty, by any such Order in Council as aforesaid, to grant to him or them such a proportion of his or their respective Salaries, which by the said recited Act is authorized to be granted as a Superannuation Allowance, according to the several periods of Service exceeding ten Years, in the said Act of the third Year of His present Majesty's Reign.

X. And whereas churches and chapels for the performance of Divine Service, according to the rites and ceremonies of The United Church of *England and Ireland*, or of the Church of *Scotland*, have been erected, and proper grounds have been appropriated and set apart for the interment of the dead, in divers Foreign Ports and Places, and Chaplains have been appointed for the performance of divine service in the said churches and chapels, and are now resident in such Foreign ports and places; and it is expedient to afford encouragement for the support of the churches and chapels so erected as aforesaid, and to promote the erection of other churches and chapels

in Foreign ports and places to which His Majesty's Subjects may resort, and wherein they may be resident in considerable numbers, for the purposes of Trade or otherwise; be it therefore enacted, That at any Foreign Port or Place in which a Chaplain is now, or shall at any future time be, resident and regularly employed in the celebration of divine service, according to the rites and ceremonies of The United Church of *England* and *Ireland*, or of the Church of *Scotland*, and maintained by any voluntary subscription or rate, levied among or upon His Majesty's Subjects resorting to or residing at such Foreign Port or Place, or by any rate or duty levied under the authority of any of the Acts herein-after repealed, it shall and may be lawful for any Consul-General or Consul, in obedience to any Order for that purpose issued by His Majesty through One of His Principal Secretaries of State, to advance and pay from time to time, for and towards the maintenance and support of any such Chaplain as aforesaid, or for and towards defraying the expences incident to the due celebration of Divine Service in any such churches and chapels, or for and towards the maintaining any such Burial Grounds as aforesaid, or for and towards the interment of any of His Majesty's Subjects in any such burial grounds, any sum or sums of money, not exceeding in any one Year the amount of the sum or sums of money which during that year may have been raised at such Port or Place for the said several purposes, or any of them, by any such voluntary subscription or rate as aforesaid; and every such Consul-General or Consul shall, once in each Year, transmit to One of His Majesty's Principal Secretaries of State an Account made up to the thirty-first day of *December* in the year next preceding, of all the sums of money actually raised at any such Port or Place as aforesaid, for the several purposes aforesaid, or any of them, by any such voluntary subscription or rate as aforesaid, and of all sums of money by him actually paid and expended for such purposes, or any of them, in obedience to any such Orders as aforesaid, and which Accounts shall by such Principal Secretary of State be transmitted to the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of The United Kingdom of *Great Britain* and *Ireland*, for the time being, who shall give to any such Consul-General or Consul as aforesaid credit for all sums of money not exceeding the amount aforesaid, by them disbursed and expended in pursuance of any such Order as aforesaid, for the purposes before mentioned, or any of them.

XI. And be it further enacted, That in case any of His Majesty's Subjects shall by voluntary subscriptions among themselves raise and contribute such a sum of money as shall be requisite for defraying one half part of the expence of erecting, purchasing, or hiring any church or chapel or building, to be appropriated for the celebration of Divine Service according to the rites and ceremonies of The United Church of

*England and Ireland, or of the Church of Scotland, or for defraying one half part of the expence of erecting, purchasing, or hiring any building to be used as a hospital for the reception of His Majesty's Subjects, or for defraying one half of the expence of purchasing or hiring any ground to be used as a place of interment for His Majesty's subjects at any Foreign port or place wherein any Consul-General or Consul appointed by His Majesty shall be resident, then and in any such case it shall and may be lawful for such Consul-General or Consul, in obedience to any order to be for that purpose issued by His Majesty through One of His Principal Secretaries of State, to advance and pay, for and towards the purposes aforesaid, or any of them, any sum or sums of money not exceeding in the whole in any one Year the amount of the money raised in that year by any such voluntary contribution as aforesaid; and every such Consul-General or Consul as aforesaid; shall in like manner once in every year transmit to one of His Majesty's Principal Secretaries of State an Account, made up to the 31st day of *December* in the year next preceding, of all the sums of money actually raised at any such Port or Place as aforesaid, for the several purposes aforesaid, or any of them, by any such voluntary subscription as aforesaid, and of all sums of money by him actually paid and expended for such purposes, or any of them, in obedience to any such Orders as aforesaid, and which Accounts shall by such Principal Secretary of State be transmitted to the Lord High Treasurer, or to the Lords Commissioners of His Majesty's Treasury, for the time being, who shall give to such Consuls-General or Consuls credit for all sums of money not exceeding the amount aforesaid, by him disbursed and expended in pursuance of any such Order as aforesaid, for the purposes before mentioned, or any of them.*

XII. Provided always, and be it further enacted, That no such Order shall be issued as aforesaid through any of His Majesty's Principal Secretaries of State, authorizing the expenditure of money for the erection, purchase, or hiring of any such new church or chapel or hospital as aforesaid, or for the purchase or hiring of any such new burial ground as aforesaid, unless and until such Consul-General or Consul shall first have transmitted to His Majesty, through One of His Majesty's Principal Secretaries of State, the plan of such intended church or chapel, hospital, or burial ground, with an estimate, upon the oath of some one or more competent person or persons, stating the probable expence of and incident to the erection, purchase, or hiring of any such church, chapel, hospital, or burying ground as aforesaid, and unless and until His Majesty shall have signified, through One of His said Principal Secretaries of State, His approbation of the said plan and estimate: provided also, that no money shall actually be disbursed by any such Consul-General or Consul as aforesaid, for any of the purposes aforesaid, unless and until the money to be raised



by any such voluntary subscription as aforesaid, be actually paid up and invested in some public or other sufficient security, in the joint names of such Consul-General or Consuls and two trustees appointed for that purpose by the person subscribing the same, or unless and until two or more of such subscribers shall enter into good and sufficient security to His Majesty, by bond or otherwise, that the amount of such subscriptions shall actually be paid for the purposes aforesaid, by a certain day to be specified in every such bond or security, and which bond or security shall be preserved in the Office of such Consul-General or Consul, and shall by him be cancelled and delivered back to the parties entering into the same, their heirs, executors, or administrators, when and so soon as the condition thereof shall be fully performed and satisfied.

XIII. Provided also, and be it further enacted, That the whole salary of any Chaplain heretofore appointed or to be appointed to officiate in any such church or chapel in any Foreign Port or Place in *Europe*, shall not exceed in the whole £500 by the Year, or in any Foreign Port or Place not in *Europe*, £800 by the Year: Provided also, that all such Chaplains shall be appointed to officiate as aforesaid, by His Majesty, through One of His Principal Secretaries of State, and shall hold such their Offices for and during His Majesty's Pleasure, and no longer.

XIV. And be it further enacted, That all Consuls-General and Consuls appointed by His Majesty to reside and being resident at any Foreign Port or Place wherein any such church or chapel, or other place appropriated for the celebration of divine worship, or hospital, or any such burial ground as aforesaid, hath heretofore been or shall hereafter be erected, purchased, or hired, by the aid of any voluntary subscription or rates collected by or imposed upon His Majesty's Subjects, or some person or persons for that purpose duly authorized by any Writing under the Hand and Seal of any such Consul-General or Consul, shall, once at the least in every year, and more frequently if occasion shall require, by public advertisement, or in such other manner as may be best adapted for insuring publicity, convene and summon a meeting of all His Majesty's Subjects residing at such Foreign Port or Place as aforesaid, to be holden at the Public Office of such Consul-General or Consul, at some time, not more than fourteen days nor less than seven days next after the publication of any such summons; and it shall and may be lawful for all His Majesty's Subjects residing or being at any such Foreign Port or Place as aforesaid, at the time of any such meeting, and who shall have subscribed any sum or sums of money not less than £20 in the whole, nor less than £3 by the year, for or towards the purposes before mentioned, or any of them, and have paid up the amount of such their subscriptions, to be present and vote at any such meetings; and such Consuls-General or Consuls

shall preside at all such meetings ; and in the event of the absence of any such Consuls-General or Consuls, the subscribers present at any such meeting shall, before proceeding to the despatch of business, nominate one of their number to preside at such meeting; and all questions proposed by the Consul-General, Consul, or person so nominated as aforesaid to preside in his absence, to any such meeting, shall be decided by the votes of the majority in number of the persons attending and being present thereat ; and in the event of the number of such votes being equally divided, the Consul-General, Consul, or person so presiding in his absence, shall give a casting vote.

XV. And be it further enacted, That it shall and may be lawful for any such general meeting as aforesaid to make and establish, and from time to time, as occasion may require, to revoke, alter, and render such general rules, orders, and regulations, as may appear to them to be necessary for the due and proper use and management of such churches, chapels, hospitals, and burial grounds as aforesaid, or for the proper controul over and expenditure of the money raised by any such subscription, as aforesaid, or otherwise in relation to the matters aforesaid, as may be necessary for carrying into execution the objects of this Act, so far as relates to those matters, or any of them : Provided always, that no such rule, order, or regulation as aforesaid shall be of any force or effect, unless or until the same shall be sanctioned and approved by the Consul-General or Consul for the time being, appointed by His Majesty to reside and actually resident at such Foreign Port or Place ; and provided also, that the same shall, by such Consul-General or Consul, be transmitted by the first convenient opportunity for His Majesty's Approbation ; and that it shall and may be lawful for His Majesty, by any Order to be by Him issued through One of His Principal Secretaries of State, either to confirm or disallow any such rules, orders, and regulations, either in the whole or in part, and to make such amendments and alterations in or additions to the same, or any of them, as to His Majesty shall seem meet, or to suspend for any period of time the execution thereof, or any of them, or otherwise to direct or prevent the execution thereof, or any of them, in such manner as to His Majesty shall seem meet ; and all Orders so to be issued by His Majesty, in relation to the matters aforesaid, through One of His Principal Secretaries of State, shall be recorded in the Office of the said Consul-General or Consul at the Foreign Port or Place to which the same may refer, and shall be of full force, effect, and authority upon and over all His Majesty's Subjects there resident.

XVI. And whereas it is expedient that the several Acts of Parliament herein-after mentioned should be repealed ; Be it therefore enacted, That a certain Act of Parliament made and passed in the Eighth Year of the reign of King George the First, (Cap. 17,) intituled *An Act for more equal paying and better collecting certain small sums therein*

*mentioned, for relief of shipwrecked Mariners and distressed Persons (His Majesty's Subjects) in the Kingdom of Portugal, and for other pious and charitable purposes usually contributed to by the Merchants trading to Portugal; and a certain other Act, made and passed in the Ninth Year of the reign of King George the Second, (Cap. 25,) intituled An Act for the more equal paying and better collecting certain small Sums for relief of shipwrecked Mariners and distressed Persons (His Majesty's Subjects) in the Port of Cadiz and Port of St. Mary's, in the Kingdom of Spain, and for other Uses usually contributed to by the Merchants trading to the said Ports; and a certain other Act made and passed in the Tenth Year of the reign of the said King George the Second, (Cap. 14,) intituled An Act for collecting at the Port of Leghorn certain small Sums of Money to which the Merchants trading there have usually contributed for the relief of shipwrecked Mariners, Captives, and other distressed Persons (His Majesty's Subjects), and for other charitable and public Uses; and a certain other Act, made and passed in the Fifty-fourth Year of His late Majesty King George the Third, (Cap. 126,) for altering and extending the said recited Act of the Eighth Year of the reign of King George the First, shall be and the same are hereby repealed.*

XVII. And be it further enacted, That all and every sum and sums of money which shall be and remain in the hands of any Collector or Treasurer or other Person, arising from any duties leviable under the several Acts hereby repealed, or any of them, and which shall not have been applied to the purposes or in manner directed by the said Acts respectively, shall by such Collector, Treasurer, or other Person be paid over to the Consul-General or Consul at the Port or Place where the same shall have been received; and all and every such sums and sum which shall be so paid to and received by any such Consul-General or Consul, and all other arrears of money arising from any such duties which shall be in the hands of any such Consul-General or Consul, shall be paid, applied, and disposed of in such manner, and to and for such public purposes, as shall be directed by any One of His Majesty's Principal Secretaries of State.

XVIII. And be it further enacted, That all Consuls-General and Consuls shall be allowed and have credit in any Accounts by them rendered through One of His Majesty's Principal Secretaries of State to the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of The United Kingdom of *Great Britain and Ireland*, for the time being, for all such sums of money as shall by any such Consul-General or Consul be disbursed and expended towards the succour and relief of Mariners shipwrecked and taken in war, or other distressed Persons being Subjects of His Majesty, and resorting to the Port or Place at which any such Consul-General or Consul may be appointed to reside: Provided always, that such sums of money be so disbursed and expended in pursuance of and in conformity to any special or general rules and



regulations to be for that purpose made and prescribed by His Majesty, by any Order or Orders to be by Him for that purpose issued, by and with the advice of His Privy Council, and that an Account of the particulars of all such expenditure shall by the first convenient opportunity be transmitted by such Consul-General or Consul for His Majesty's information, through One of His Principal Secretaries of State.

XIX. And be it further enacted, That within six weeks next after the commencement of each Session of Parliament there shall be laid before both Houses of Parliament, Copies of all Orders which may have been made, since the commencement of the last preceding Session of Parliament, by His Majesty, with the advice of His Privy Council, in pursuance of this Act, together with an Account of all salaries which, since the commencement of such next preceding Session of Parliament, may have been granted by His Majesty to any Consuls-General or Consuls, by virtue or in pursuance of this Act, together with an Estimate specifying the total amount of the money to be required for the payment of the salaries of all such Consuls-General or Consuls respectively, for one Year, from the fifth Day of *January* preceding the date of such Estimate, and also for all contingent charges and expenses connected with the public duties and establishments of such Consuls-General or Consuls, after deducting the amount provided on account of the payment of such Consuls-General or Consuls out of the money applicable under the third Class of His Majesty's Civil List, as specified in the Schedule annexed to an Act made in the First Year of His Majesty's Reign, (Cap. 1,) intituled *An Act for the support of His Majesty's Household, and for the Honour and Dignity of the Crown of The United Kingdom of Great Britain and Ireland*.

XX. And whereas it is expedient that every Consul-General or Consul appointed by His Majesty at any Foreign Port or Place should in all cases have the power of administering an oath or affirmation whenever the same shall be required, and should also have power to do all such notarial acts as any Notary Public may do; Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for any and every Consul-General or Consul appointed by His Majesty at any Foreign Port or Place, whenever he shall be thereto required, and whenever he shall see necessary, to administer at such Foreign Port or Place any oath, or take any affidavit or affirmation from any Person or Persons whomsoever, and also to do and perform at such Foreign Port or Place all and every notarial acts and act which any Notary Public could or might be required and is by Law empowered to do within The United Kingdom of *Great Britain and Ireland*; and every such oath, affidavit, or affirmation, and every such notarial act, administered, sworn, affirmed, had, or done by or before such Consul-General or Consul, shall be as good, valid, and effectual, and shall be of like force and effect, to all intents and purposes, as if any such oath



affidavit, or affirmation, or notarial act respectively, had been administered, sworn, affirmed, had, or done, before any Justice of the Peace or Notary Public in any part of The United Kingdom of *Great Britain or Ireland*, or before any other legal or competent authority of the like nature.

XXI. And be it further enacted, That all penalties incurred under or imposed by this Act shall and may be sued for, prosecuted, and recovered by any Person or Persons who may sue for the same, by action of debt, bill, plaint, or information in any of His Majesty's Courts of Record at *Westminster*, in the name of His Majesty's Attorney-General, wherein no essoign, protection, privilege, wager of law, or more than one imparlance, shall be allowed.

XXII. And be it further enacted, That this Act, and the several clauses, matters, and things herein contained, shall take effect from the first Day of *January*, 1826, except where any other commencement is particularly directed.

#### TABLES to which this Act refers.

##### TABLE (A.)

Certificate of due landing of goods, exported from The United Kingdom .....	2 Dollars.
Signature of Ship's Manifest .....	2 Dollars.
Certificate of Origin, when required .....	2 Dollars.
Bill of Health, when required.....	2 Dollars.
Signature of Muster Roll, when required .....	2 Dollars.
Attestation of a Signature, when required.....	1 Dollar.
Administering an Oath, when required .....	$\frac{1}{2}$ Dollar.
Seal of Office, and Signature of any other Document not specified herein, when required.....	1 Dollar.

##### TABLE (B.)

Bottomry or Arbitration Bond .....	2 Dollars.
Noting a Protest .....	1 Dollar.
Order of Survey .....	2 Dollars.
Extending a Protest or Survey.....	1 Dollar.
Registrations.....	1 Dollar.
Visa of Passport .....	$\frac{1}{2}$ Dollar.
Valuation of Goods.....	1 per Cent.
Attending Sales, $\frac{1}{2}$ per Cent. where there has been a Charge for valuing; otherwise 1 per Cent.	
Attendance out of Consular Office at a shipwreck, Five Dollars per Diem for his personal Expences, over and above his travelling Expences.	
Do.....on opening a Will .....	5 Dollars.
Management of Property of British Subjects dying intestate	$2\frac{1}{2}$ per Cent.

The Dollars mentioned in the preceding Tables are in all cases to be paid by the delivery of Dollars, each of which is to be of the value of 4s. 6d. Sterling, and no more, according to the rate of exchange prevailing at the place where such payment is made.

## An Account of the Ordinary Revenues and Extraordinary Resources, constituting the Public

HEADS of REVENUE.	1. BALANCES and BILLS outstanding on 5th Jan. 1824.	2. GROSS RECEIPT.	3. Repayments, Allowances, discounts, drawbacks & bounties of the nature of drawbacks; allowances to the Two Universities, on account of almanacks, and for paper & parchment to stamp on.	4. NET RECEIPT within the Year. after deducting REPAYMENTS, &c.	5. TOTAL INCOME, including BALANCES.
<b>ORDINARY REVENUES.</b>	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
CUSTOMS - - - - -	378,046 17 - 4	15,491,158 10 7 1/2	1,937,125 8 6 1/2	13,554,033 2 - 1/2	13,932,079 19 11
EXCISE - - - - -	1,438,197 13 5 1/2	30,779,302 13 8 1/2	2,338,385 8 2 1/2	28,440,917 5 5 1/2	29,879,114 19 11 1/2
STAMPS - - - - -	460,969 12 1 1/4	7,672,411 - 9 1/2	246,005 4 11 1/2	7,426,405 15 9 1/2	7,887,375 7 11 1/2
TAXES, under the Management of the Commissioners of Taxes - - - - -	246,877 14 10 1/4	5,228,197 8 - 1/4	6,857 - 8 1/2	5,221,340 7 3 1/2	5,468,218 2 2 1/2
POST OFFICE - - - - -	213,685 6 2 1/2	2,255,239 15 7 1/2	86,388 6 8 1/2	2,168,851 8 11	2,382,536 15 7 1/2
ONE SHILLING in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions - - - - -	3,565 19 6	62,534 5 11	- - -	62,534 5 11	66,100 5 5
HACKNEY COACHES and Hawkers and Pedlars - - - - -	14 12 10	67,837 14 8	- - -	67,837 14 8	67,852 7 6
CROWN LANDS - - - - -	76,708 16 9 1/2	282,126 - 8	- - -	282,126 - 8	358,834 17 5 1/2
SMALL Branches of the King's Hereditary Revenue - - - - -	2,568 - 11 1/2	9,869 2 1	- - -	9,869 2 1	12,437 3 -
LOTTERY, Surplus Produce after Payment of Prizes - - - - -	- - -	252,213 2 6	- - -	252,213 2 6	252,213 2 6
SURPLUS FEES of Regulated Public Offices - - - - -	- - -	39,888 8 4	- - -	39,888 8 4	39,888 8 4
POUNDAGE FEES, Pells Fees, Casualties, Treasury Fees, and Hospital Fees - - - - -	- - -	9,748 11 - 1/4	- - -	9,748 11 - 1/2	9,748 11 -
<b>TOTALS of ORDINARY REVENUES</b> } £	2,820,634 13 9 1/2	62,150,526 13 10 1/2	4,614,761 9 12 1/2	57,535,765 4 9	60,356,399 18 6 1/2
<b>OTHER RESOURCES.</b>					
AMOUNT of Savings on the Third Class of the Civil List - - - - -	- - -	7,827 5 2	- - -	7,827 5 2	7,827 5 2
MONEY brought from the Civil List on account of the Clerk of the Hanaper - - - - -	- - -	1,100 - -	- - -	1,100 - -	1,100 - -
MONEY received in re-payment of the Loan raised for the service of the Emperor of Germany, per Acts 35 and 37 Geo. 3. - - - - -	- - -	1,733,333 6 8	- - -	1,733,333 6 8	1,733,333 6 8
MONEY received from the East India Company, on account of Retired Pay, Pensions, &c. of His Majesty's Forces serving in the East Indies, per Act 4 Geo. IV. c. 71. - - - - -	- - -	60,000 - -	- - -	60,000 - -	60,000 - -
FROM the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3. c. 34, for the Employment of the Poor - - - - -	- - -	125,273 9 -	- - -	125,273 9 -	125,273 9 -
MONEY received from the Trustees of Naval and Military Pensions - - - - -	- - -	4,660,000 - -	- - -	4,660,000 - -	4,660,000 - -
From several County Treasurers, and others in Ireland, on account of Advances made by the Treasury, for improving Post Roads, for building Gaols, for the Police, for Public Works, Employment of the Poor, &c. - - - - -	- - -	160,901 9 5 1/2	- - -	160,901 9 5 1/2	160,901 9 5 1/2
IMPREST Monies, re-paid by sundry Public Accountants, and other Monies paid to the Public - - - - -	- - -	411,949 19 10 1/2	- - -	411,949 19 10 1/2	411,949 19 10 1/2
<b>TOTALS of the PUBLIC INCOME of the UNITED KINGDOM.</b> } £	2,820,634 13 9 1/2	69,310,912 4 1	4,614,761 9 12 1/2	64,696,150 14 11 1/2	67,516,785 8 8 1/2

Income of the UNITED KINGDOM of Great Britain and Ireland;—for the Year ended 5th Jan. 1825.

Payments out of the Income in its Progress to the Exchequer.			9.	10.	11.	12.
TOTAL CHARGES of COLLECTION.	7. OTHER PAYMENTS.	8. TOTAL PAYMENTS out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS outstanding on 5th January, 1825.	TOTAL DISCHARGE of the INCOME.	RATE Per Centum for which the GROSS RECEIPT was Collected.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1,000 3 2	772,327 16 10	2,234,424 - 14	11,327,741 6 2	369,914 12 9	13,932,079 19 1	9 8 9
1,000 3 2	388,926 11 7	1,707,764 5 10	26,768,089 19 11	1,408,310 13 1	29,879,114 18 11	4 5 8
217,309 18 7	- - -	217,309 18 7	7,244,042 7 -	426,023 2 3	7,887,375 7 11	2 16 7
302,568 4 8	27,135 15 9	329,704 - 5	4,922,070 3 10	216,443 17 10	5,468,218 2 2	5 15 8
600,000 - -	55,414 1 4	655,914 9 4	1,520,615 7 8	206,006 18 1	2,382,536 15 1	26 12 6
1,433 19 10	- - -	1,433 19 10	61,374 12 10	3,291 12 9	66,100 5 5	2 5 9
18,703 9 8	- - -	10,703 9 8	57,134 10 -	14 7 10	67,852 7 6	15 15 6
50,999 18 2	195,008 13 7	246,008 11 9	966 13 4	111,859 12 4	358,834 17 5	18 1 6
1,191 18 6	2,000 - -	3,191 18 6	5,189 16 3	4,055 8 3	12,437 3 -	12 1 4
2,000 - -	5,006 13 3	7,006 13 3	245,206 9 3	- - -	252,213 2 6	- 15 10
- - -	- - -	- - -	39,888 8 4	- - -	39,888 8 4	- - -
- - -	- - -	- - -	9,748 11 -	- - -	9,748 11 -	- - -
1,000 3 2	1,445,819 12 6	5,413,461 7 5	52,202,018 5 10	2,740,920 5 3	60,356,399 18 6	6 7 8
- - -	- - -	- - -	7,827 5 2	- - -	7,827 5 2	- - -
- - -	- - -	- - -	1,100 - -	- - -	1,100 - -	- - -
- - -	- - -	- - -	1,733,333 6 8	- - -	1,733,333 6 8	- - -
- - -	- - -	- - -	60,000 - -	- - -	60,000 - -	- - -
- - -	- - -	- - -	125,273 9 -	- - -	125,273 9 -	- - -
- - -	- - -	- - -	4,660,000 - -	- - -	4,660,000 - -	- - -
- - -	- - -	- - -	160,901 9 5	- - -	160,901 9 5	- - -
- - -	- - -	- - -	411,949 19 10	- - -	411,949 19 10	- - -
1,000 3 2	1,445,819 12 6	5,413,461 7 5	59,362,408 16 -	2,740,920 5 3	67,516,786 8 6	- - -

## An Account of the Ordinary Revenues and Extraordinary Resources, consi

H E A D S of R E V E N U E.	1. BALANCES and BILLS outstanding on 5th Jan. 1824.	2. GROSS RECEIPT.	3. Repayments, al- lowances, dis- counts, drawbacks & bounties of the nature of draw- backs; allowances to the two Univer- sities, on account of almanacks, and for paper & parch- ment to stamp on.	4. NET RECEIPT within the Year, after deducting REPAYMENTS &c.	5. TOT INCO inclu BALA
ORDINARY REVENUES.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£.
CUSTOMS - - - -	340,576 14 7½	13,643,528 7 11	1,703,852 6 4	11,939,676 1 7½	12,280,25
EXCISE - - - -	1,355,060 3 -	28,813,183 17 9½	2,324,155 1 11	26,489,028 15 10½	27,844,08
STAMPS - - - -	334,867 16 6½	7,155,508 - -	238,913 15 5½	6,916,594 4 6½	7,251,46
TAXES, under the manage- ment of the Commissioners of Taxes - - - -	246,877 14 10½	5,228,197 8 -½	6,857 - 8½	5,221,340 7 3½	5,468,21
POST OFFICE - - - -	168,308 14 -½	2,055,636 17 1½	66,717 9 -	1,988,919 8 1½	2,157,22
ONE SHILLING in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions. - -	3,565 19 6	62,534 5 11	- - -	62,534 5 11	66,10
HACKNEY COACHES, and Hawkers and pedlars - -	14 12 10	67,837 14 8	- - -	67,837 14 8	67,83
CROWN LANDS - - - -	76,708 16 9½	282,126 - 8	- - -	282,126 - 8	358,83
SMALL Branches of the King's Hereditary Revenue	2,568 - 11½	9,869 2 1	- - -	9,869 2 1	12,43
LOTTERY, Surplus Produce after Payment of Prizes	- - -	252,213 2 6	- - -	252,213 2 6	252,21
SURPLUS FEES of Regulated Public Offices - - -	- - -	39,888 8 4	- - -	39,888 8 4	39,88
TOTALS OF ORDINARY REVENUES. }	£ 2,528,548 13 1½	57,610,523 5 1	4,340,495 13 5½	53,270,027 11 7½	55,798,576
OTHER RESOURCES.					
AMOUNT of Savings on the Third Class of the Civil List Money brought from the Ci- vil List on Account of the Clerk of the Hanaper -	- - -	7,827 5 2	- - -	7,827 5 2	7,82
MONEY received in repay- ment of the Loan raised for the service of the Emperor of Germany, per Acts 35 and 37 Geo. 3 -	- - -	1,100 - -	- - -	1,100 - -	1,100
MONEY received from the East India Company on account of Retired Pay, Pensions, &c. of His Majesty's Forces serving in the East Indies, per Act 4 Geo. IV. c. 71 -	- - -	1,733,333 6 8	- - -	1,733,333 6 8	1,733,333
MONEY received from the East India Company on account of Retired Pay, Pensions, &c. of His Majesty's Forces serving in the East Indies, per Act 4 Geo. IV. c. 71 -	- - -	60,000 - -	- - -	60,000 - -	60,000
FROM the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3. c. 34, for the Employment of the Poor	- - -	125,273 9 -	- - -	125,273 9 -	125,273
MONEY received from the Trustees of Naval and Mili- tary Pensions - - -	- - -	4,660,000 - -	- - -	4,660,000 - -	4,660,000
IMPREST Monies repaid by sundry Public Accountants, and other Monies paid to the Public - - -	- - -	202,825 18 -½	- - -	202,825 18 -½	202,825
TOTALS of the PUBLIC INCOME of GREAT BRI- TAIN	£ 2,528,548 13 1½	64,400,833 3 11½	4,340,495 13 5½	60,060,387 10 6	62,588,936

Whitehall, Treasury Chambers, 29th Feb. 1825.

J. C. HERRIES.



## The Public Income of GREAT BRITAIN; for the Year ended 5th January 1825.

Payments out of the Income, in its Progress to the Exchequer.			9.	10.	11.	12.
6.	7.	8.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS outstanding on 5th January 1825.	TOTAL DISCHARGE of the INCOME.	RATE Per Centur for which the GROSS RECEIPT was Collected.
CHARGES of COLLECTION.	OTHER PAYMENTS.	TOTAL PAYMENTS out of the Income in its Progress to the Exchequer.				
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1,094,672 18 - 2	620,385 3 6 1/2	1,715,058 1 7 1/2	10,239,741 19 1 1/2	325,452 15 5 1/2	12,280,252 16 2 1/2	8 - 5
1,895,757 10 5 1/2	305,170 19 1 1/2	1,400,928 9 7 1/2	25,118,283 5 7 1/2	1,329,877 3 8 1/2	27,844,088 18 10 1/2	3 16 -
180,067 13 1 1/2	- - -	180,067 13 1 1/2	6,753,097 - 4	318,277 7 7 1/2	7,251,462 1 1	2 10 4
392,568 4 8 1/2	27,135 15 9	329,704 - 5 1/2	4,922,070 3 10 1/2	216,443 17 10	5,468,218 2 2	5 15 8
394,472 4 6 1/2	48,667 - 4 1/2	550,139 4 11	1,444,000 - -	163,088 17 3 1/2	2,157,228 2 2 1/2	24 7 10
1,433 19 10	- - -	1,433 19 10	61,374 12 10	3,291 12 9	66,100 5 5	2 5 9
10,703 9 8	- - -	10,703 9 8	57,134 10 -	14 7 10	67,852 7 6	15 15 6
50,999 18 2 1/2	195,008 13 7	246,008 11 9 1/2	966 13 4	111,859 12 4 1/2	358,83 17 5 1/2	18 1 7
1,191 18 6	2,000 - -	3,191 18 6	5,189 16 3	4,055 8 3 1/2	12,437 3 - 1/2	12 1 4
2,000 - -	5,906 13 3	7,906 13 3	245,206 9 3	- - -	252,213 2 6	- 15 10
- - -	- - -	- - -	39,888 8 4	- - -	39,888 8 4	- -
1,230,887 17 - 2	1,203,374 5 7 1/2	4,444,262 2 8 1/2	48,881,952 18 11 1/2	2,472,361 3 1 1/2	55,798,576 4 9 1/2	5 12 6
- - -	- - -	- - -	7,827 5 2	- - -	7,827 5 2	- -
- - -	- - -	- - -	1,100 - -	- - -	1,100 - -	- -
- - -	- - -	- - -	1,733,333 6 8	- - -	1,733,333 6 8	- -
- - -	- - -	- - -	60,000 - -	- - -	60,000 - -	- -
- - -	- - -	- - -	125,273 9 -	- - -	125,273 9 -	- -
- - -	- - -	- - -	4,660,000 - -	- - -	4,660,000 - -	- -
- - -	- - -	- - -	202,825 18 - 1/2	- - -	202,825 18 - 1/2	- -
308 7 - 2	1,203,374 5 7 1/2	4,444,262 2 8 1/2	5,672,312 17 9 1/2	2,472,361 3 1 1/2	62,588,936 3 7 1/2	-

## An Account of the Ordinary Revenues and Extraordinary Resources, constituting the Public

HEADS of REVENUE.	1. BALANCES and BILLS outstanding on 5th Jan. 1824.	2. GROSS RECEIPT.	3. REPAY- MENTS, DRAWBACKS, DISCOUNTS, &c.	4. NET RECEIPT within the Year after deducting REPAY- MENTS. &c.	5. TOTAL INCOME, including BALANCES.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
ORDINARY REVENUES.					
CUSTOMS - - - -	37,470 2 5½	1,847,630 2 7½	233,273 2 2½	1,614,357 0 5	1,651,827 2 10½
EXCISE - - - -	83,137 10 5½	1,966,118 15 11	14,230 6 3½	1,951,888 9 7½	2,035,026 0 0½
STAMPS - - - -	126,101 15 7	516,903 0 9	7,091 9 6	509,811 11 3	635,913 6 10
TAXES, repealed by Act 4 } Geo. IV. c. 9 - - - }	- - -	- - -	- - -	- - -	- - -
POST OFFICE - - -	45,376 12 2	199,602 18 5½	19,670 17 8½	179,932 0 9½	225,308 12 11½
POUNDAGE Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees - - }	- - -	9,748 11 0½	- - -	9,748 11 0½	9,748 11 0½
TOTAL of ORDINARY REVENUES }	292,086 0 7½	4,540,003 8 9½	274,265 15 8½	4,265,737 13 1½	4,557,823 13 9
OTHER RESOURCES.					
FROM the Provost and Fel- lows of Trinity College, on account of advances made by the Treasury for com- pleting the North Square of the said College, per Act 54 Geo. 3. c. 167 - - }	- - -	1,107 13 10	- - -	1,107 13 10	1,107 13 10
From several County Treasurers, and others. { ON account of Advances made by the Treasury for improving Post Roads in Ireland, under Act 45 Geo. 3. c. 43 - - }	- - -	6,036 6 8½	- - -	6,036 6 8½	6,036 6 8½
{ ON account of Advances made by the Treasury for building Gaols, under Act 50 Geo. 3. c. 103 }	- - -	24,172 13 3½	- - -	24,172 13 3½	24,172 13 3½
{ ON account of Advances made by the Treasury for Police in proclai- med Districts, under Acts 54 Geo. 3. c. 131, and 3 Geo. IV. c. 103 - - }	- - -	89,011 13 7½	- - -	89,011 13 7½	89,011 13 7½
{ ON account of Advances made by the Treasury for Public Works and Employment of the Poor, under Acts 57 Geo. 3. c. 34 and 124, and 3 Geo. IV. c. 112, and 3 Geo. IV. c. 84 }	- - -	40,573 1 11½	- - -	40,573 1 11½	40,573 1 11½
IMPREST MONIES repaid by sundry Public Account- ants, and other Monies paid to the Public - - }	- - -	209,124 1 10½	- - -	209,124 1 10½	209,124 1 10½
TOTALS of the PUBLIC INCOME of IRELAND - }	292,086 0 7½	4,910,029 0 1½	274,265 15 8½	4,635,763 4 5½	4,927,849 5 1

Income of IRELAND, for the Year ended 5th January, 1825.

Payments out of the Income in its Progress to the Exchequer.			9.	10.	11.	12.
6.	7.	8.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS outstanding on 5th January, 1825.	TOTAL DISCHARGE of the INCOME.	RATE Per Centum for which the GROSS RECEIPT was Collected.
CHARGES of COLLECTION.	OTHER PAYMENTS.	TOTAL PAYMENTS out of the In- come, in its Progress to the Exchequer.				
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
367,423 5 12	151,942 13 4	519,365 18 6	1,087,999 7 1	44,461 17 3	1,651,827 2 10	19 17 8
223,680 3 9	83,755 12 6	306,835 16 3	1,654,756 14 4	73,433 9 5	2,035,026 0 0	11 6 11
37,222 5 6	- -	37,222 5 6	490,945 6 8	107,745 14 7	635,913 6 10	7 4 0
- -	- -	- -	- -	- -	- -	- -
99,028 3 5	6,747 1 0	106,775 4 5	76,615 7 8	42,918 0 9	225,306 12 11	49 12 3
- -	- -	- -	9,748 11 0	- -	9,748 11 0	- -
725,753 17 10	242,445 6 10	969,199 4 9	3,320,065 6 10	268,559 2 12	4,557,823 13 9	16 0 1
- -	- -	- -	1,107 13 10	- -	1,107 13 10	- -
- -	- -	- -	6,036 6 8	- -	6,036 6 8	- -
- -	- -	- -	24,172 13 3	- -	24,172 13 3	- -
- -	- -	- -	89,011 13 7	- -	89,011 13 7	- -
- -	- -	- -	40,578 1 11	- -	40,578 1 11	- -
- -	- -	- -	209,124 1 10	- -	209,124 1 10	- -
725,753 17 10	242,445 6 10	969,199 4 9	3,690,090 18 2	268,559 2 12	4,927,849 5 1	- -

AN ACCOUNT of the TOTAL INCOME of the REVENUE of GREAT BRITAIN and IRELAND, in backs, and Bounties of the nature of Drawbacks; together with an Account of the Public Expenditure within the same period.

HEADS OF REVENUE.	NET RECEIPT, as stated in Column 4 of the Account of Public Income.		
	£.	s.	d.
<b>ORDINARY REVENUES:</b>			
Balances and Bills Outstanding on 5th January, 1824 .....			2,820,634 13 9 $\frac{1}{2}$
Customs .....	13,554,033	2	0 $\frac{1}{2}$
Excise .....	28,440,917	5	5 $\frac{1}{2}$
Stamps .....	7,426,405	15	9 $\frac{1}{2}$
Taxes .....	5,221,340	7	3 $\frac{1}{2}$
Post Office .....	2,168,851	8	11
One Shilling and Sixpenny Duty on Pensions and Salaries, and Four Shillings in the Pound on Pensions.....	62,534	5	11
Hackney Coaches, and Hawkers and Pedlars .....	67,837	14	8
Crown Lands .....	282,126	0	8
Small Branches of the King's Hereditary Revenue.....	9,869	2	1
Surplus Produce of Lottery, after payment of Lottery Prizes .....	252,213	2	6
Surplus Fees of regulated Public Offices.....	39,888	8	4
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees.....	9,748	11	0 $\frac{1}{2}$
			57,535,765 4 9 $\frac{1}{2}$
Deduct Balances and Bills outstanding on 5th January, 1825 .....			60,356,399 18 6 $\frac{1}{2}$
			2,740,920 5 3 $\frac{1}{2}$
<b>TOTAL Ordinary Revenues.....</b>			57,615,479 13 3 $\frac{1}{2}$
<b>OTHER RESOURCES:</b>			
The Amount of Savings on the 3d Class of the Civil List..	7,827	5	2
Money brought from Civil List, on account of the Clerk of the Hanaper .....	1,100	0	0
Money received in repayment of the Loan raised for the service of the Emperor of Germany, per Acts 35 and 37 Geo. 3.....	1,733,333	6	8
By the East India Company, on account of Retired Pay, Pensions, &c. of His Majesty's Forces, serving in the East Indies, per Act 4 Geo. IV. c. 71.....	60,000	0	0
By the Commissioners for the issue of Exchequer Bills for the employment of the Poor, per Act 57 Geo. 3. c. 34.....	125,273	9	0
By the Trustees of Naval and Military Pensions .....	4,660,000	0	0
Money repaid in Ireland, on account of Advances from the Consolidated Fund, under various Acts, for Public Improvements.....	160,901	9	5 $\frac{1}{2}$
Imprest and other Monies paid into the Exchequer.....	411,949	19	10 $\frac{1}{2}$
			7,160,385 10 2 $\frac{1}{2}$
	£.		64,775,865 3 5 $\frac{1}{2}$
Balances, &c. in the hands of Receivers, &c. on 5th January, 1824.....	£.		2,820,634 13 9 $\frac{1}{2}$
Do.....do.....5th January, 1825.....			2,740,920 5 3 $\frac{1}{2}$
Balances less in 1825 than in 1824.....			79,714 8 6 $\frac{1}{2}$
Surplus Income paid into the Exchequer over Expenditure thereout.....			6,587,802 17 3 $\frac{1}{2}$
<b>Actual Excess of Income over Expenditure.....</b>	£.		6,508,088 8 9 $\frac{1}{2}$



the Year ended 5th January 1825, after deducting the Repayments, Allowances, Discounts, Draw-  
ture of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt,

EXPENDITURE.		
<b>PAYMENTS OUT OF THE INCOME</b> in its progress to the Exchequer;	<b>£. s. d.</b>	<b>£. s. d.</b>
Charges of Collection.....	3,967,641 14 11½	
Other Payments.....	1,445,819 12 6	
<b>TOTAL Payments out of the Income, prior to the</b> <b>Payments into the Exchequer.....</b>	.....	<b>5,413,461 7 5½</b>
<b>PAYMENTS OUT OF THE EXCHEQUER;</b>		
Dividends, Interest and Management of the Public Funded Debt, four Quarters to 10th October 1824, ex- clusive of £5,150,059. 18s. 1d. issued to the Commission- ers for the Reduction of the National Debt.....	27,979,068 7 11	
Interest on Exchequer Bills.....	1,087,283 13 2	
Issued to the Trustees of Military and Naval Pensions, &c. per Act 3 Geo. IV. c. 51.....	2,214,260 0 0	29,066,352 1 1
Do..... Bank of England, per Act 4 Geo. IV. c. 22.	585,740 0 0	2,800,000 0 0
Civil List..... four Quarters to 5th January, 1825....	1,057,000 0 0	
Pensions charged by Act of Parliament on Consolidated Fund, four Quarters to 10th October, 1824.....	371,644 1 10½	
Salaries and Allowances.....	70,212 10 6	
Officers of Courts of Justice.....	96,265 4 11	
Expences of the Mint.....	14,748 7 0	
Bounties.....	2,956 13 8	
Miscellaneous.....	808,982 15 2	
Do.... Ireland.....	300,102 10 8½	2,721,912 3 10½
Army.....	7,573,026 2 7½	
Navy.....	6,161,818 3 10	
Ordnance.....	1,407,308 2 10½	
Miscellaneous.....	2,449,148 19 4½	17,591,301 8 8½
Money Paid to the Bank of England more than received from them, on account of Unclaimed Dividends.....	48,424 4 2	
By the Commissioners for issuing Exchequer Bills, per Act 57 Geo. 3. c. 34 & 124, for the employment of the Poor	219,200 0 0	
Advances out of the Consolidated Fund in Ireland, for Public Works.....	327,411 0 10½	595,035 5 0½
<b>TOTAL.....</b>	<b>£.</b>	<b>58,188,062 6 2½</b>
<b>Surplus of Income paid into the Exchequer, over Expenditure</b> <b>issued thereout.....</b>		<b>6,587,802 17 3½</b>
	<b>£.</b>	<b>64,775,865 3 5½</b>

Whitehall, Treasury Chambers, 10th March, 1825.

J. C. HERRIES.

**AN ACCOUNT of the NET PUBLIC INCOME of the United Kingdom of GREAT  
EXPENDITURE thereout defrayed by the several Revenue Departments, and  
applied to the Redemption of Funded**

INCOME.	Applicable to the Consolidated Fund.			Applicable to other Public Services.			INCOME PAID into the EXCHEQUER.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS .....	8,580,882	13	2½	2,746,858	13	0	11,327,741	6	2½
EXCISE .....	26,496,882	16	5½	271,157	3	6	26,768,039	19	11½
STAMPS .....	7,244,042	7	0½	—	—	—	7,244,042	7	0½
TAXES under the management of the Commissioners of Taxes, including Arrears of Property Tax .....	4,919,248	9	8½	2,821	14	2	4,922,070	3	10½
POST OFFICE .....	1,520,615	7	8½	—	—	—	1,520,615	7	8½
One Shilling and Sixpence Duty on Pensions and Salaries, and Four Shillings in the Pound on Pensions .....	61,374	12	10	—	—	—	61,374	12	10
Hackney Coaches, and Haw- kers and Pedlars .....	57,134	10	0	—	—	—	57,134	10	0
CROWN LANDS .....	966	13	4	—	—	—	966	13	4
Small Branches of the King's Hereditary Revenue .....	5,189	16	3	—	—	—	5,189	16	3
Surplus Produce of Lottery, af- ter payment of Lottery Prizes	—	—	—	245,206	9	3	245,206	9	3
Surplus Fees, regulated Public Offices .....	39,888	8	4	—	—	—	39,888	8	4
Poundage Fees, Pells Fees, Ca- sualties, Treasury Fees, and Hospital Fees .....	9,748	11	0½	—	—	—	9,748	11	0½
<b>TOTAL Ordinary Revenue..</b>	—	—	—	—	—	—	£. 52,202,018	5	10
<b>The amount of Savings on Third Class of the Civil List .....</b>	7,827	5	2	—	—	—	7,827	5	2
D <sup>o</sup> brought from Civil List, on account of Clerk of the Hana- per .....	1,100	0	0	—	—	—	1,100	0	0
D <sup>o</sup> received in repayment of the Loan raised for the service of The Emperor of Germany, per Acts 35 and 37 Geo. 3. ....	1,733,333	6	8	—	—	—	1,733,333	6	8
By the East India Company, on account of retired Pay, Pen- sions, &c. of H. M. Forces serving in the East Indies, per Act 4 Geo. IV. c. 71. ....	—	—	—	60,000	0	0	60,000	0	0
By the Trustees of Military and Naval Pensions, &c. ....	—	—	—	4,660,000	0	0	4,660,000	0	0
By the Commissioners for issu- ing Exchequer Bills for Public Works .....	—	—	—	125,273	9	0	125,273	9	0
Money repaid in Ireland, on account of advances from the Consolidated Fund, under var- ious Acts for Public Improve- ments .....	160,901	9	5½	—	—	—	160,901	9	5½
Imprest and other Monies paid into the Exchequer .....	385,147	15	9	26,802	4	1½	411,949	19	10½
<b>£.</b>	<b>51,224,284</b>	<b>2</b>	<b>11½</b>	<b>8,138,119</b>	<b>13</b>	<b>0½</b>	<b>59,362,403</b>	<b>16</b>	<b>0½</b>

BRITAIN AND IRELAND, in the Year ended the 5th January, 1825; after abating the of the actual Issues or Payments within the same Period, exclusive of the Sums Debt, or for paying off Unfunded Debt.

EXPENDITURE.	NET EXPENDITURE.		
	£.	s.	d.
Dividends, Interest, and Management of the Public Funded Debt, four quarters to 10th October, 1824, exclusive of £5,150,059. 18. 1. issued to the Commissioners for the Reduction of the National Debt.....	27,979,068	7	11
Interest on Exchequer Bills.....	1,087,283	13	2
			29,066,352 1 1
Issued to the Trustees of Military and Naval Pensions, per Act 3 Geo. IV. c. 51.....	2,214,260	0	0
D <sup>o</sup> .... Bank of England, 4 Geo. IV. c. 22.	585,740	0	0
			2,800,000 0 0
Civil List, four quarters to 5th January, 1825..	1,057,000	0	0
Pensions charged by Act of Parliament, on Consolidated Fund, four quarters to 10th October, 1824.....	371,644	1	10½
Salaries and Allowances.....	70,212	10	6
Officers of Courts of Justice.....	96,265	4	11
Expences of the Mint.....	14,748	7	0
Bounties.....	2,956	13	8
Miscellaneous.....	808,982	15	2
D <sup>o</sup> ..... Ireland.....	300,102	10	8½
			2,721,912 3 10½
Army.....	7,573,026	2	7½
Navy.....	6,161,818	3	10
Ordnance.....	1,407,908	2	10½
Miscellaneous.....	2,449,148	19	4½
			17,591,901 8 8½
<b>TOTAL.....</b>	<b>£.</b>		<b>52,179,565 13 8</b>
Money paid to the Bank of England more than received from them on account of Unclaimed Dividends.....	48,424	4	2
By the Commissioners for issuing Exchequer Bills, per Act 57 Geo. 3. c. 34 and 124, for the Employment of the Poor.....	219,200	0	0
Advances out of the Consolidated Fund in Ireland, for Public Works.....	327,411	0	10½
			595,035 5 0½
<b>TOTAL.....</b>			<b>52,774,600 18 8½</b>
Surplus of Income paid into the Exchequer over Expenditure thereout.....			6,587,802 17 3½
	<b>£.</b>		<b>59,362,403 16 0½</b>

AN ACCOUNT of the BALANCE of PUBLIC MONEY remaining in the EXCHEQUER, UNFUNDED Debt, in the Year ended 5th January 1825; the Money applied towards the and the Money remaining in the

	£.	s.	d.
Balances in the Exchequer on 5th January, 1824.....	9,421,279	14	4½
MONEY RAISED in the Year ended 5th January, 1825, by the creation of Unfunded Debt:			
	£.	s.	d.
Exchequer Bills issued per Act... } 4 Geo. IV. c. 100 }	5,951,800	0	0
— ..... 5 ..... 2	15,000,000	0	0
— ..... 5 ..... 115	10,890,900	0	0
To pay off £4 per cent Dissentients } 5 Geo. IV. c. 45 }	5,502,000	0	0
Public Works....3 Geo. IV. c. 86	219,200	0	0
Churches.....58 Geo. 3. c. 45	194,600	0	0
	*37,758,500	0	0
TOTAL.....£.	47,179,779	14	4½
Surplus of Income paid into the Exchequer, over } Expenditure thereout..... }	6,587,802	17	3½
	£.	53,767,582	11 7½
* Exchequer Bills charged upon Supplies.....			
Do. Sinking Fund per Act 5 Geo IV. c. 45.....	32,256,500	0	0
	5,502,000	0	0
* £	37,758,500	0	0



the 5th January, 1824; the amount of Money raised by additions to the FUNDED or redemption of the Funded, or paying off the Unfunded Debt, within the same period; chequer on the 5th January, 1825.

APPLIED BY		£.	s.	d.
The Commissioners for the Reduction of the National Debt in the Redemption of Funded Debt.				
Sinking Fund on Redeemed Funded Debt.....	£. s. d.	5,000,000	0	0
Interest on.....d° .....		150,059	18	1
		5,150,059	18	1
Bank of England to pay off £4 per cent Dissentients.....		5,502,000	0	0
Applied towards Redemption of Funded Debt.....		10,652,059	18	1
FUNDED DEBT				
Issued to the Paymasters of Exchequer Bills to pay off } Unfunded Debt.....		33,563,000	0	0
	£.	44,215,059	18	1
Balances in the Exchequer at 5th January, 1825.....		9,552,522	13	6½
	£.	53,767,582	11	7¼

Whitehall, Treasury Chambers, }  
1st February, 1825.

J. C. HERRIES.

AN ACCOUNT of the INCOME of the CONSOLIDATED FUND arising in the  
and also of the actual Payments on account of

	£.	s.	d.
The Total Income applicable to the Consolidated Fund .....	51,224,284	2	11
Whitehall, Treasury Chambers, } 1st February 1825.	J. C. HERRIES.		
	£.	51,224,284	2 11

AN ACCOUNT of the MONEY applicable to the Payment of the CHARGE of the CONSOLIDATED FUND  
several CHARGES which have become due thereon, in the same Year, including the  
termination of the year.

Income arising in Great Britain .....	£.	47,534,193	s.	4	d.	9
Income arising in Ireland .....	£.	3,690,090	s.	18	d.	2½
Add the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies in the Quarter ended 5th January 1824 .....		283,342	s.	2	d.	6½
		3,973,433	s.	0	d.	9½
Deduct the Sum paid out of the Consolidated Fund, towards the Supplies, in the Quarter ended 5th January 1825 .....		254,356	s.	14	d.	0½
		3,719,076	s.	6	d.	9
Total Sum applicable to the Charge of the Consolidated Fund, in the Year ended 5th January 1825 .....		51,253,269	s.	11	d.	6
Exchequer Bills to be issued to complete the payment of the Charge, to 5th January 1825 .....		1,550,031	s.	5	d.	6
Whitehall, Treasury Chambers, } 1st February 1825.	J. C. HERRIES.			£.	52,803,300	17 0

United Kingdom of GREAT BRITAIN and IRELAND, in the Year ended 5th January 1825, the CONSOLIDATED FUND within the same period.

HEADS OF PAYMENT.		£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public } Funded Debt, 4 Quarters to 10th October 1824.....		33,129,128	6	0
Interest on Exchequer Bills issued upon the Credit of the Consoli- dated Fund.....		1,267	16	8
Trustees for Naval and } Military Pensions... } per Act 3 Geo. IV. c. 51	£.2,214,260	0	0	
Bank of England... } per Act 4 Geo. IV. c. 22	585,740	0	0	
		2,800,000	0	0
Civil List, 4 Quarters to 5th January 1825.....		1,057,000	0	0
Pensions charged by Act of Parlia- } ment upon the Consolidated Fund } 4 Quarters to 10 October 1824		371,644	1	10½
Salaries and Allowances.....do.....		70,212	10	6
Officers of Courts of Justice.....do.....		96,265	4	11
Expenses of the Mint.....do.....		14,748	7	0
Bounties.....do.....		2,956	13	8
Miscellaneous.....do.....		808,982	15	2
Do.....Ireland.....do.....		300,102	10	8½
Advances out of the Consolidated Fund in Ireland, for Public Works		327,411	0	10½
	£.	38,979,719	7	5
SURPLUS of the CONSOLIDATED FUND.....		12,244,564	15	6½
	£.	51,224,284	2	11½

CONSOLIDATED FUND of the United Kingdom, in the Year ended 5th January 1825, and of the Amount of Exchequer Bills charged upon the said Fund, at the commencement and at the

HEADS OF CHARGE.		£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public } Funded Debt, 4 Quarters to 5th January 1825 .....		33,131,051	11	7½
Interest on Exchequer Bills issued upon the Credit of the Consoli- dated Fund.....		1,267	16	8
Trustees for Naval and } Military Pensions... } per Act 3 Geo. IV. c. 51	£.2,214,260	0	0	
Bank of England.....per Act 4 Geo. IV. c. 22 -	585,740	0	0	
		2,800,000	0	0
Civil List, 4 Quarters to 5th January 1825 .....		1,057,000	0	0
Pensions charged by Act of Parlia- } ment upon the Consolidated Fund } 4 Quarters to 5th January 1825.		370,456	9	3½
Salaries and Allowances.....do.....		72,220	2	6½
Officers of Courts of Justice.....do.....		95,926	8	6½
Expenses of the Mint.....do.....		14,748	7	0
Bounties.....do.....		2,956	13	8
Miscellaneous.....do.....		930,682	2	5
Do.....Ireland.....do.....		305,749	8	6½
Advances out of the Consolidated Fund in Ireland for Public Works		327,411	0	10½
	£.	39,109,470	1	2½
Exchequer Bills issued to make good the Charge of the Consolida- ted Fund to the 5th January 1824.....		1,541,928	11	1½
		40,651,398	12	4½
SURPLUS of the CONSOLIDATED FUND.....		12,151,902	4	8½
	£.	52,803,300	17	0½

AN ACCOUNT of the ACTUAL RECEIPT and EXPENDITURE of the Sums placed  
ending the  
Drs. THE SAID COMMISSIONERS

GREAT BRITAIN.		£.	s.	d.	£.	s.	d.
ISSUES FROM CONSOLIDATED FUND.	TO CASH, being four Quar- terly Issues, 4 Geo. IV. c. 19	4,840,000	0	0			
	To Do Interest on Capitals standing in the names of the Commissioners, at 3 per Cent	129,763	1	3			
	3½ per Cent - - -	8,156	12	10			
	4 per Cent - - -	2,088	18	8			
	Long Annuities - -	4,083	7	0			
					4,984,091	19	
OTHER ISSUES.	To Sums returned from the Account of Life Annuities, the Nominees whereof died previously to its being set apart for payment - - -	10,511	12	9			
	To Bank Life Annuities, un- claimed for three years or upwards, at 5th January 1824	5,752	6	1			
	To the Bequest of William Tooker of Chadlehangar, for for the uses of the Sinking fund	100	0	0			
					16,363	18	
In GREAT BRITAIN		-	-	£.	5,000,455	18	
IRELAND, in British Currency.							
ISSUES FROM CONSOLIDATED FUND.	To CASH, being four Quar- terly Issues, per 4 Geo. IV. c. 19 - - -	160,000	0	0			
	To Do Interest on Capital Stock, standing in the names of the Commissioners, at 3½ per Cent - - -	5,967	18	4			
In IRELAND		-	-	-	165,967	18	
UNITED KINGDOM - - - - -				£.	5,166,423	16	

## RESULT.

	From the Consolidated FUND.		From other Sources.		TOTAL Sums received		Capital Stock plac in the Names of the Commissioners.
	£.	s. d.	£.	s. d.	£.	s. d.	
In GREAT BRITAIN -	4,984,091	19 9	16,363	18 10	5,000,455	18 7	3,643,725 0
In IRELAND - - - - (British Currency)	165,967	18 4	-	-	165,967	18 4	163,726 1
UNITED KINGDOM £.	5,150,059	18 1	16,363	18 10	5,166,423	16 11	3,807,451 1

National Debt Office, 12th January, 1825.



hands of the COMMISSIONERS for the REDUCTION of the NATIONAL DEBT, in the Year of January 1825.

CAPITAL STOCK placed in the Names of the Commissioners in the Year.		RATE per Cent.	Average Price of STOCK.	
£.	s. d.			
3,627,225	-	By CASH, paid for £. 3,627,225 Capital Stock.....	3 p' cent.	£. s. d. £. s. d. 3,416,031 9 11 94 3 6
16,500	-	Do, ..... for £16,500 do.....	3½ p' cent	16,473 15 0 99 16 10
		Do. being four Quarterly Payments to the Bank of England, in discharge of Exchequer Bills of the like amount, per 3 Geo. IV. c. 66 (in full)	-	1,036,800 - - -
		Do. into the Exchequer, per said Act, being the difference between the Sums advanced by the Bank on the security of Exchequer Bills, and the Sums, actually paid to the Proprietors of 5 per cents, who dis-sented from receiving 4 per Cents in lieu thereof	-	559 0 10 -
		Do. .... set apart for the pay-ment of Life annuities at the Bank of England, per 48 Geo. 3. c. 142.	-	530,591 12 10 -
£ 3,643,725	-	- - - - -	£.	5,000,455 18 7 -
		By CASH, paid for £. 163,726. 1s 4d Capital Stock .....	3½ p' cent	165,967 18 4 101 7 4
£ 3,807,451	1 4	- - - - -	£.	5,166,423 16 11

## RESULT.

## EXPENDITURE.

SUMS paid for Capital Stock.	SUMS paid to the Bank of England and Exchequer, per 3 Geo. iv. c. 66.	SUMS set apart for pay-ment of Life An-nuities, per 48 Geo. 3. c. 142.	TOTAL Sums paid.	
£. s. d.	£. s. d.	£. s. d.	£. s. d.	
£ 432 505 4 11	1,037,359 0 10	530,591 12 10	5,000,455 18 7	In GREAT BRITAIN.
165,967 18 4	- - -	- - -	165,967 18 4	In IRELAND.
£ 598 473 3 3	1,037,359 0 10	530,591 12 10	5,166,423 16 11	(British Currency)
				UNITED KINGDOM.

S. HIGHAM, Comptroller General.

AN ACCOUNT of the Total Amount of the UNREDEEMED FUNDED DEBT created in the Year ended 5th January 1825; of the Debt and Charge thereon Debt and Charge, as it stood

Dr.

GREAT BRITAIN.		CAPITAL STOCK.			ANNUAL CHARGE thereon.		
		£.	s.	d.	£. s. d.		
TO	Unredeemed Capital, Great Britain.....	760,739,045	13	8½	-	-	25,132,675 19 1
	— D <sup>o</sup> Germany, consolidated with the Debt of Great Britain, per 5 Geo. IV. c. 9.....	4,621,938	13	5	-	-	138,658 3 2
	— Schedules C. D <sup>1</sup> . and D <sup>2</sup> . on account of Land Tax.....	-	-	-	-	-	8,193 5 1
	— Long Annuities, expire 1860....	-	-	-	-	-	1,338,837 1 10
	— Life Annuities payable { English. ....	-	-	-	-	-	28,580 13 1
	at the Exchequer. { Irish... ..	-	-	-	-	-	35,461 7 9
	— Management.... { Great Britain. ....	-	-	-	-	-	281,092 17 11
	{ Germany.....	-	-	-	-	-	1,571 9 2
	— Military and Naval Pensions....	-	-	-	-	-	2,800,00 0 0
	TOTAL DEBT at 5th Jan, 1824...£.		765,360,984	7	1½	-	-
DEBT created in the Year 1824.	TO Capital transferred from the Funded Debt in Ireland to the Funded Debt in Great Britain.....	5,007	16	7	3 p. cent	}	981 0 1
		15,000	0	0	3½ p. cent		
		7,644	7	0	4 p. cent		
	— D <sup>o</sup> Long Annuities transferred from d <sup>o</sup> to d <sup>o</sup> .....	-	-	-	-	-	20 0 0
	— Capital transferred from the Commissioners Reduction National Debt, the Dividends upon which had remained unclaimed 10 years or upwards, the same having been reclaimed by the proprietors thereof.....	16,759	2	2	3 p. cent	}	1,132 2 1
		3,227	14	2	3½ p. cent		
		11,417	19	3	4 p. cent		
		1,193	1	4	5 p. cent		
	— D <sup>o</sup> Long Annuities transferred from d <sup>o</sup> to d <sup>o</sup> .....	-	-	-	-	-	163 4 5
	— Consolidated 3 p' cent Annuities, created in exchange for 5 p' cents 1797, per 37 Geo. 3. c. 10	21,357	19	11	3 p. cent	-	640 14 9
TOTAL DEBT created in 1824.....£.		81,608	0	5	-	-	2,937 1 5
GENERAL TOTAL, Great Britain....£.		765,442,592	7	6½	-	-	29,768,007 18 8

(continued)

and the CHARGE thereof, at the 5th January, 1824; of the Debt and Charge thereof redeemed in the course of that Year; and of the Total Amount of the Unredeemed on the 5th of January, 1825.

	CAPITAL STOCK.			ANNUAL CHARGE thereon.		
	£.	s.	d.	£	s.	d.
BY Capital purchased with the Sinking Fund	3,627,225	0	0	3 p. cent	109,394	4 11½
By D <sup>o</sup> transferred for the purchase of Life Annuities.....	16,500	0	0	3½ p. cent		
	508,895	0	0	3 p. cent	16,450	8 7½
	5,515	0	0	3½ p. cent		
	21,761	0	0	1 p. cent		
By D <sup>o</sup> Long Annuities transferred for d <sup>o</sup> .....	-	-	-	-	5,152	14 0
By Capital transferred to the Commissioners, the Dividends upon which had remained unclaimed 10 years or upwards.	2,325	2	7	3 p. cent	69	15 0½
By D <sup>o</sup> Long Annuities transferred to d <sup>o</sup> .....	-	-	-	-	4	5 11½
By Capital transferred to them for the Redemption of Land Tax, under Schedules A. and B...	61,233	2	8	3 p. cent	1,836	19 10½
By D <sup>o</sup> Schedules C. D 1. and D 2.....	9,133	11	9	3 p. cent	The annual Interest of this Capital is continued in the ann. charge.	
By Capital transferred from the Funded Debt in Great Britain to the Funded Debt in Ireland	1,401,527	11	0	3 p. cent		
By D <sup>o</sup> Long Annuities, transferred from d <sup>o</sup> to d <sup>o</sup>	465,071	0	0	3½ p. cent	70,577	16 2
	306,362	9	7	4 p. cent		
By annual Interest payable to the Public Creditor, decreased by the conversion of £74,825, 110 2s. 3d. Unredeemed 4 p. cent Annuities into 3½ p. cent Reduced Annuities, per 5 Geo. IV. c. 11.....	-	-	-	-	20	0 0
By non-assented 4 p. cent Annuities, vested in the Commissioners Reduction National Debt at 3½ p. cent, per 5 Geo. IV. c. 45.....	-	-	-	-	374,125	11 0
By £5 p. cent Annuities 1797, converted into consolidated 3 p. cent Annuities, per 37 Geo. 3. c. 10	(a) 5,830,073	12	8	3½ p. cent	204,052	11
By Life Annuities, payable at the Exchequer, decreased.....	16,018	10	0	3 p. cent	800	18 6
By management, decreased Fractions.....	-	-	-	-	876	2 7½
	-	-	-	-	3,303	17 3½
	-	-	-	-	0	0 1
TOTAL DEBT reduced in 1824	12,274,644	0	3	-	786,665	5 8½
By due to the Public Creditor, 5 January, 1825..	753,167,948	7	3½	-	28,701,982	3 2½
Management.....	-	-	-	-	279,360	9 9½
GENERAL TOTAL....	65,442,592	7	6½	-	29,768,007	18 8½

[a] The Sums for the payment of the above Non-assents were advanced by the Bank upon the security of Exchequer Bills, which Bills are to be redeemed by quarterly instalments from the Sinking Fund.

## ACCOUNT—continued.

IRELAND.		CAPITAL STOCK, (British Currency.)			ANNUAL CHARGE thereon, (British Currency)		
		£.	s.	d.	£	s.	d.
To Unredeemed Capital .....		26,340,630	11	8	1,000,430	10	11
- Life Annuities .....		-	-	-	7,035	4	7
- Management (Sinking... Fund Office).....		-	-	-	660	0	0
TOTAL DEBT at 5th Jan. 1824		£ 26,340,630	11	8	1,008,125	15	7
DEBT created in the Year 1824.	To Capital transferred from the Funded Debt in Great Britain to the Funded Debt in Ireland .....	1,401,527	11	03 p. cent	70,577	16	2
		465,071	0	03½ p. cent			
		306,362	9	74 p. cent			
	- Do. Long Annuities trans- ferred from do. to do.....	-	-	-	20	0	0
	- Management increased.. (Sinking Fund Office) ....	-	-	-	92	6	2
TOTAL DEBT created in 1824 .....		£ 2,172,961	0	7	70,690	2	4
GENERAL TOTAL, Ireland.....		£ 28,513,591	12	3	1,078,815	17	11

## SUMMARY:

		DEBT.			CHARGE.		
		£.	s.	d.	£.	s.	d.
TOTAL DEBT on 5th Jan. 1824.	GREAT BRITAIN .....	760,739,045	13	8½	29,624,841	4	10
	IRELAND .....	26,340,630	11	8	1,008,125	15	7
	GERMANY .....	4,621,938	13	5	140,229	12	4
£.		791,701,614	18	9½	30,773,196	12	10
DEBT created in the Year 1824.	GREAT BRITAIN .....	81,608	0	5	2,937	1	5
	IRELAND .....	2,172,961	0	7	70,690	2	4
	£.	2,254,569	1	0	73,627	3	9
TOTAL .....		£ 793,956,183	19	9½	30,846,823	16	8

National Debt Office, 9th Feb. 1825.

S. HIGHAM, *Comptroller General*.



## ACCOUNT—continued.

		CAPITAL STOCK, (British Currency.)			ANNUAL CHARGE, thereon, (British Currency.)		
		£	s.	d.			
DEBT reduced in the Year 1824.	(By Capital purchased with the Sinking Fund .....	163,726	1	4	3½ p. ct	5,730	8 2½
	By Capital transferred from the Funded Debt in Ireland to the Funded Debt in Great Britain - - - - -	5,007	16	7	3 p. ct	981	- 1
	Long Annuities, transfer- red from d° to d° - - - - -	15,000	0	0	3½ p. ct		
	By annual Interest payable to the Public Creditor, de- creased by the conversion of £.1,381,772.8.2.£.4 p. cent Annuities into 3½ p. cent, Annuities per 5 Geo. IV. c. 24 - - - - -	7,644	7	0	4 p. ct		
	By non assented 4 p. cent Annuities, vested in the Commissioners Reduction National Debt at 3½ p. cent, per 5 Geo. IV. c. 45 - - - - -	-	-	-	- -	20	- -
		-	-	-	- -	6,908	17 2½
		(a) 366,938	19	3½	3½ p. ct	12,842	17 3½
Deduct Fractions....		£ 558,317	4	2½			
TOTAL DEBT reduced in 1824.		558,317	4	0	- -	26,483	2 10
By due to the Public Creditor, 5th Jan. 1825 .....		27,955,274	8	3	- -	1,051,580	8 11½
- Management .....		-	-	-	- -	752	6 2
GENERAL TOTAL .....		£ 28,513,591	12	3	- -	1,078,815	17 11½

(a) This Capital is to be redeemed by quarterly Instalments from the Sinking Fund.

## SUMMARY:

		DEBT.			CHARGE.		
		£.	s.	d.	£.	s.	d.
DEBT reduced in 1824.	{ GREAT BRITAIN .....	12,274,644	-	3	786,665	5	8½
	{ IRELAND .....	558,317	4	-	26,483	2	10
£.		12,832,961	4	3	813,148	8	6½
TOTAL DEBT on 5th Jan. 1825.	{ GREAT BRITAIN .....	753,167,948	7	3½	28,981,342	13	-½
	{ IRELAND .....	27,955,274	8	3	1,052,332	15	1½
£.		781,123,222	15	6½	30,033,675	8	1½
TOTAL .....		£ 793,956,183	19	9½	30,946,823	16	8

**AN ACCOUNT of the State of the PUBLIC FUNDED DEBT of GREAT  
DEBT:**

	Co. 1. CAPITALS.			Co. 2. CAPITALS transferred to the Commissioners			Co. 3. CAPITALS UNREDEEMED.		
GREAT BRITAIN:	£.	s.	d.	£.	s.	d.	£.	s.	d.
Debt due to the South } at £3 Sea Company.... } p' ct.	3,662,784	8	6½	-	-	-	3,662,784	8	6½
Old South Sea Annuities do.	4,574,870	2	7	226,000	0	0	4,348,870	2	7
New South Sea Annuities do.	3,128,330	2	10	146,000	0	0	2,982,330	2	10
South Sea Annuities, } do. 1751..... }	707,600	0	0	35,000	0	0	672,600	0	0
Debt due to the Bank } do. of England..... }	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities.... } do. created in 1726.... }	1,000,000	0	0	452	10	9	999,547	9	3
Consolidated Annuities do.	369,763,675	11	7½	5,198,203	7	11	364,565,472	3	8½
Reduced Annuities.... do.	132,772,669	11	5	2,700,705	2	3	130,071,964	9	2
<b>TOTAL at £3 per cent...£.</b>	<b>530,296,729</b>	<b>16</b>	<b>11½</b>	<b>8,306,361</b>	<b>0</b>	<b>11</b>	<b>521,990,368</b>	<b>16</b>	<b>0½</b>
Annuities.... at £3½ p' ct.	15,457,969	14	2	233,047	0	0	15,224,922	14	2
Reduced Annu- } at £3½ do. ities ..... }	74,698,208	12	4	5,873,659	8	7	68,824,549	3	9
New £4 per cent Annuities	146,186,398	18	3	52,169	18	0	146,134,229	0	3
£5 per cents 1797 and 1802	997,650	2	4	3,771	9	3	993,878	13	1
<b>GREAT BRITAIN....£.</b>	<b>767,636,957</b>	<b>4</b>	<b>0¾</b>	<b>14,469,008</b>	<b>16</b>	<b>9</b>	<b>753,167,948</b>	<b>7</b>	<b>3¾</b>
<b>IN IRELAND, (in British Currency.)</b>									
Irish Consolidated £3 per } cent Annuities ..... }	401,119	14	5	-	-	-	401,119	14	5
Irish Reduced £3 per cent } Annuities..... }	995,400	0	0	-	-	-	995,400	0	0
£3½ per cent Debentures } and Stock..... }	13,249,448	2	1	293,399	13	3	12,956,048	8	10
Reduced 3½ p. cent Annuities	1,381,772	8	2	366,938	19	3	1,014,833	8	11
Debt due to the Bank of } Ireland, at £4 per cent }	1,615,384	12	4	-	-	-	1,615,384	12	4
New £4 per cent Annuities	9,957,103	11	5	-	-	-	9,957,103	11	5
Debt due to the Bank of } Ireland, at £5 per cent }	1,015,384	12	4	-	-	-	1,015,384	12	4
<b>IRELAND.....£.</b>	<b>28,615,613</b>	<b>0</b>	<b>9</b>	<b>660,338</b>	<b>12</b>	<b>6</b>	<b>27,955,274</b>	<b>8</b>	<b>3</b>
<b>TOTAL UNITED KINGDOM £.</b>	<b>796,252,570</b>	<b>4</b>	<b>9¾</b>	<b>15,129,347</b>	<b>9</b>	<b>3</b>	<b>781,123,222</b>	<b>15</b>	<b>6½</b>

**STOCK.**

£.      s.      d.

*Note.*—The above Columns, 1 and 2, show the Totals of Debt for the United Kingdom, after deducting the Stock directed to be cancelled by various Acts of Parliament, and by redemption of Land Tax, amounting to } ..... 484,408,884 19 9

BRITAIN and IRELAND, and the CHARGE thereupon at the 5th of January 1825.

## CHARGE:

		In GREAT BRITAIN.	In IRELAND, (In British Cur- rency.)	TOTAL ANNUAL CHARGE.
		£ s. d.	£ s. d.	£ s. d.
Sinking Fund.	The Annual Sum of £5,000,000 directed to be issued per 4 Geo. IV. c. 19. towards the reduction of the National Debt of the United Kingdom.....	4,840,000 0 0	160,000 0 0	
	Annual Interest on Stock standing in the names of the Commissioners ...	456,733 13 2½	23,111 17 0½	
	Long Annuities do...	6,808 12 4½	—	
£ 5,303,542 5 7			183,111 17 0½	
Due to the Public Creditor	Annual Interest on Unredeemed Debt	24,496,505 13 5¾	1,044,545 4 3¾	
	Long Annuities, expire 1860 .....	1,333,843 6 4	—	
	Life Annuities payable at the Exchequer } English	27,704 10 5½	—	
	Irish...	35,461 7 9	7,035 4 7½	
	£ 25,893,514 18 0¼		1,051,580 8 11¼	
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the redemption of Land Tax, under Schedules C. and D. 33 Geo. 3. c. 123. ....		8,467 5 2½	—	
	Management .....	279,360 9 9¾	752 6 2	
	The Trustees of Military and Naval Pensions and Civil Superannuations .....	2,800,000 0 0	—	
£ 34,284,884 18 7½			1,235,444 12 1¾	35,520,329 10 9¼

## ABSTRACT.

	CAPITALS.	CAPITALS transferred to the Commissioners	CAPITALS UNREDEEMED.
	£. s. d.	£. s. d.	£. s. d.
Great Britain	767,636,957 4 0½	14,469,008 16 9	753,167,948 7 3½
Ireland .....	28,615,613 9 0	660,338 12 6	27,955,274 8 3
£.	796,252,570 4 9½	15,129,347 9 3	781,123,222 15 6½

The Trustees of Military and Naval Pensions and }  
Civil Superannuations - - - - - }

Non-assented £. 4 per Cents, vested in the Commissioners }  
as £. 3½ per cents, 5 Geo. IV. c. 45- - - - - : } £. 6,197,012 11 1  
Purchased with the Sinking Fund - - - - - 6,844,690 13  
Transferred for Life Annuities - - - - - 1,098,212 0  
Stock Unclaimed, 10 years and upwards - - - - - 209,690 2 1  
Purchased with Unclaimed Dividends - - - - - 497,500 0  
Transferred for Redemption of Land Tax under Schedules }  
C. & D..... } 282,242 1

Total transferred to Commissioners, as above - £. 15,129,347 9

National Debt Office, }  
9th February 1825. }



## ABSTRACT :

## ANNUAL CHARGE.

Due to the Public Creditor.	MANAGEMENT.	SINKING FUND.	TOTAL.
£. s. d.	£. s. d.	£. s. d.	£. s. d.
25,893,514 18 0 $\frac{1}{4}$ } 8,467 5 2 $\frac{1}{2}$ }	279,360 9 9 $\frac{1}{4}$	5,303,542 5 7	(a)
1,051,580 8 11 $\frac{1}{4}$	752 6 2	183,111 17 0 $\frac{1}{2}$	—
26,953,562 12 2	280,112 15 11 $\frac{1}{4}$	5,486,654 2 7 $\frac{1}{2}$	—
2,800,000 0 0	—	—	—
£.29,753,562 12 2	280,112 15 11 $\frac{1}{4}$	5,486,654 2 7 $\frac{1}{2}$	35,520,329 10 9 $\frac{1}{4}$

(a) Chargeable with £.538,491. 5. 0. Life Annuities, per 48 Geo. 3. c. 142.—Do. with the sum of £106,100. 1. 0. Annuities for a Term of Years to the Waterloo Fund, per 59 Geo. 3. c. 34.

And also with the payment of £. 6,197,012. 11. 11. (by Quarterly Instalments,) being the amount of Non-assented £. 4. per cents vested in the Commissioners, per 5 Geo. IV. c. 45.

S. HIGHAM,

*Comptroller General.*

# AN ACCOUNT OF THE UNFUNDED DEBT OF GREAT BRITAIN AND IRELAND;

And of the Demands outstanding on the 5th January 1825,

Distinguished under the following heads; viz.—Exchequer Bills; Sums remaining unpaid, charged upon the Aids granted by Parliament; Advances out of the Consolidated Fund in Ireland, towards the Supplies; and Exchequer Bills to be issued on the Consolidated Fund; and distinguishing also, such part of the Unfunded Debt and Demands, as have been provided for by Parliament; together with an Account of the Ways and Means remaining in the Exchequer, or to be received on the 5th January 1825, to defray such part of the Unfunded Debt and Demands outstanding, as have been provided for.

	PROVIDED.			UNPROVIDED.			TOTAL.		
	£	s.	d.	£	s.	d.	£	s.	d.
EXCHEQUER BILLS exclusive of £5,502 000 issued for paying off £4 per cents, the payment of which is charged on the Sinking Fund.....	1,984,650	—	—	30,413,800	—	—	32,398,450	—	—
SUMS remaining unpaid, charged upon Aids granted by Parliament .....	3,906,077	1	2½	—	—	—	3,906,077	1	2½
ADVANCES made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain ....	254,356	14	0½	—	—	—	254,356	14	0½
TOTAL Unfunded Debt, and Demands outstanding ....	£ 6,145,083	15	2¾	30,413,800	—	—	36,558,883	15	2¾
WAYS and MEANS .....	6,584,250	5	1½	—	—	—	—	—	—
Surplus Ways and Means .....	£ 439,166	9	10¾	—	—	—	—	—	—
EXCHEQUER BILLS to be issued to complete the Charge upon the Consolidated Fund .....	£ 1,550,031	5	6½	—	—	—	1,550,031	5	6½

Whitehall, Treasury Chambers,  
1st February 1825.

J. C. HERRIES.

## TRADE OF THE UNITED KINGDOM.

AN ACCOUNT of the VALUE of all IMPORTS into, and of all EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND,

During each of the Three Years ending the 5th January 1825 (calculated at the official Rates of Valuation, and stated exclusive of the Trade between Great Britain and Ireland reciprocally;) distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real and Declared Value thereof.

YEARS ending 5th January.	VALUE of IMPORTS into the United Kingdom calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM THE UNITED KINGDOM, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real and Declared Value thereof.
		Produce and Manufactures of the United Kingdom	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1823 - -	30,530,663 0 6	44,236,533 2 4	9,227,589 6 11	53,464,122 9 3	36,968,964 9 9
1824 - -	35,798,707 5 1	43,804,372 18 1	8,603,904 9 1	52,408,277 7 2	35,458,048 13 6
1825 - -	37,547,826 15 4	48,735,551 2 5	10,204,785 6 4	58,940,336 8 9	38,396,300 17 3

Inspector General's Office,  
Custom House, London,  
22nd March 1825.

WILLIAM IRVING,  
Inspector General of Imports and Exports.

## TRADE OF GREAT BRITAIN.

AN ACCOUNT of the VALUE, as calculated at the Official Rates, of all IMPORTS into, and of all EXPORTS from, GREAT BRITAIN,

During each of the Three Years ending the 5th January 1825; showing the Trade with Foreign Parts separately, from the Trade with Ireland; and distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.

## TRADE OF GREAT BRITAIN WITH FOREIGN PARTS.

YEARS Ending 5th January	VALUE of IMPORTS into Great Britain, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom Exported from Great Britain, ac- cording to the Real and Declared Value thereof.
		Produce and Manufactures of the United Kingdom	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1823 -	29,432,375 14 0	43,558,488 12 9	9,211,927 16 10	52,770,416 9 7	36,176,896 13 11
1824 -	34,591,264 9 1	43,144,466 1 6	8,588,995 18	51,733,461 19 6	34,691,124 8 10
1825 -	36,141,339 8 3	48,030,036 11 4	10,188,596 9	58,218,633 0 6	37,573,918 0 0

Continued.

TRADE OF GREAT BRITAIN—*continued.*

## TRADE OF GREAT BRITAIN WITH IRELAND:

YEARS Ending 5th January.	VALUE of IMPORTS into Great Britain, calculated at the Official Rates of Valuation.	Value of Exports from Great Britain, Calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom, Exported from Great Britain according to the Real and Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1823.....	4,873,610 2 0	2,894,125 0 11	1,298,593 7 10	4,192,718 8 9	3,386,548 8 5
1824.....	5,821,036 1 11	3,141,825 11 0	1,359,376 6 5	4,501,201 17 5	3,488,591 0 8
1825.....	5,588,146 9 6	3,688,570 6 4	1,318,069 0 8	5,006,639 7 0	4,261,113 11 10

## TRADE OF GREAT BRITAIN WITH ALL PARTS.

YEARS Ending 5th January.	VALUE of IMPORTS into Great Britain, calculated at the Official Rates of Valuation.	Value of Exports from Great Britain, Calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom, Exported from Great Britain, according to the Real and Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1823.....	34,305,985 16 0	46,452,613 13 8	10,510,521 4 8	56,963,134 18 4	39,563,445 2 5
1824.....	40,412,300 11 0	46,286,291 12 6	9,948,372 4 5	56,234,663 16 11	38,179,715 9 6
1825.....	41,729,485 17 9	51,718,606 17 8	11,506,665 9 10	63,225,272 7 6	41,835,031 11 10

Inspector General's Office,  
Custom House, London,  
22d March, 1825.

WILLIAM IRVING,  
Inspector General of Imports and Exports.



## TRADE OF IRELAND.

## AN ACCOUNT OF THE VALUE OF ALL IMPORTS INTO, AND OF ALL EXPORTS FROM, IRELAND,

During each of the Three Years ending the 5th January 1825 (calculated at the Official Rates of Valuation, and stated exclusive of the Trade with *Great Britain*;) distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported;—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from *Ireland*, according to the Real or Declared Value thereof.

		VALUE of Imports into IRELAND, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM IRELAND, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom, export- ed from Ireland, according to the real or declared Value thereof.
			Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
YEARS ENDING		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
VALUE exclusive of the Trade with GREAT BRITAIN.	5th Jan. 1823	1,098,287 6 6	678,044 9 7	15,661 10 1	693,705 19 8	792,067 15 10
	— 1824	1,207,442 16 4	659,906 16 7 1/4	14,908 11 1 1/2	674,815 7 8 3/4	766,924 4 8 1/4
	— 1825	1,406,487 7 1 1/4	705,514 11 3 3/4	16,188 17 2 1/4	721,703 8 3	822,382 17 3

Custom House, Dublin, }  
26th February 1825. }

WM. MARRABLE,  
Inspector General of the Imports and Exports of Ireland.

*Note*.—THE amount of the Import and Export Trade between Great Britain and Ireland, which in former years has been comprehended in this Account, is now embodied in the preceding Account of the Trade of Great Britain. This arrangement has been rendered necessary by the discontinuance of the Record heretofore kept in Ireland, of the interchange of free Goods between the two Countries, a Counterpart to which Record being kept in London, the British Registers have now been adopted as the basis of the Annual Statement, in relation to the Cross Channel Trade. The Official Value of the Imports and Exports, constituting this branch of Trade, for the last year, has consequently been computed at the British rates of Valuation, which differ from those established in Ireland; but in order to afford a just view of the extent of the Trade, as compared with that of previous years, the amounts of the Imports and Exports for the Years ending 5th January 1823 and 5th January 1824, are also brought forward in the preceding Account, according to the British Valuation, in the room of the amounts exhibited in the Irish Returns for the respective periods.

## NAVIGATION OF THE UNITED KINGDOM.

## NEW VESSELS BUILT.

AN ACCOUNT of the Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1823, 1824, and 1825, respectively.

	IN THE YEARS ENDING THE 5TH JANUARY					
	1823.		1824.		1825.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom .....	564	50,928	594	63,151	799	91,083
Isles, Guernsey, Jersey, and Man..	7	605	10	637	98	2,136
British Plantations .....	209	15,611	213	22,240	174	21,968
Total.....	780	67,144	847	86,028	1,011	115,187

Inspector General's Office,  
Custom House, London,  
22d March, 1825.

WILLIAM IRVING,  
Inspector General of Imports and Exports.

## VESSELS REGISTERED.

AN ACCOUNT of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 30th September, in the Years 1822, 1823, and 1824 respectively.

	On 30th September 1822.			On 30th September 1823.			On 30th September 1824.		
	Ves-sels.	Tons.	Men.	Ves-sels.	Tons.	Men.	Ves-sels.	Tons.	Men.
United Kingdom	20,756	2,288,999	147,529	20,573	2,275,995	147,058	20,803	2,321,953	149,742
Isles Guernsey, Jersey and Man.....	482	26,404	3,788	469	26,872	3,680	477	26,361	3,806
British Planta-tions.....	3,404	203,641	15,016	3,500	203,893	14,736	3,496	211,273	15,089
TOTAL....	24,642	2,519,044	166,333	24,542	2,506,760	165,474	24,776	2,559,587	168,637

Inspector General's Office,  
Custom House, London,  
22d March, 1825.

WILLIAM IRVING,  
Inspector General of Imports and Exports.

NAVIGATION OF THE UNITED KINGDOM—*continued.*

## VESSELS EMPLOYED IN THE FOREIGN TRADE.

AN ACCOUNT of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages) that entered Inwards and cleared Outwards, at the several Ports of The United Kingdom, from and to all Parts of the World (exclusive of the intercourse between GREAT BRITAIN and IRELAND respectively) during each of the three Years ending 5th January 1825.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, (Exclusive of the Intercourse between Great Britain and Ireland.)									
YEARS Ending 5th January	British and Irish Vessels.			Foreign Vessels.			TOTAL.		
	Ves- sels.	Tons.	Men.	Ves- sels.	Tons.	Men.	Ves- sels.	Tons.	Men.
1823.....	11,087	1,663,627	98,980	3,389	469,151	28,421	14,476	2,132,778	127,401
1824.....	11,271	1,740,859	112,244	4,065	582,996	33,828	15,340	2,323,855	146,072
1825.....	11,731	1,797,089	108,686	5,655	759,672	42,126	17,386	2,556,761	150,812

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, (Exclusive of the Intercourse between Great Britain and Ireland.)									
YEARS Ending 5th January	British and Irish Vessels.			Foreign Vessels.			TOTAL.		
	Ves- sels.	Tons.	Men.	Ves- sels.	Tons.	Men.	Ves- sels.	Tons.	Men.
1823.....	10,023	1,539,260	95,998	2,843	457,542	25,394	12,866	1,996,802	121,392
1824.....	9,666	1,546,976	95,596	3,437	563,571	29,323	13,103	2,110,547	124,919
1825.....	10,156	1,657,270	103,085	5,025	746,729	38,782	15,181	2,403,999	141,867

Inspector General's Office,  
Custom House, London,  
22d March, 1825.

WILLIAM IRVING,  
Inspector General of Imports and Exports.

*CORRESPONDENCE relating to the Claims of American Citizens upon Great Britain, under the Treaty of Ghent, of 1814, and Convention of St. Petersburg, of 1822, for Slaves and Property captured during the War between Great Britain and The United States.\**

*Joseph Planta, Jun. Esq. to J. C. Herries, Esq.*

SIR.

*Foreign Office, April 30, 1825.*

I AM directed by Mr. Secretary Canning to transmit to you, to be laid before The Lords Commissioners of His Majesty's Treasury, Extracts from two Despatches, dated 14th September, and 15th December last, with Copies of their Enclosures, received from Mr. Jackson, His Majesty's Commissioner at Washington, under the Convention signed at St. Petersburg, on the 12th July 1822, for carrying into effect the 1st Article of the Treaty of Ghent.

These Papers contain a statement of the amount, and nature of the Averages agreed upon by the Board, as compensation for the Slaves for whom indemnification may be granted under the Convention; and also a Copy of the Definitive List of the Claims delivered in by the American Secretary of State.

I am, &c.

*J. C. Herries, Esq.*

JOSEPH PLANTA, Jun.

*George Jackson, Esq. to Mr. Secretary Canning.*

(Extract.)

*Washington, September 14, 1824.*

I HAVE the honour to transmit to you a certified Extract from the Journal of the Board, by which you will see both the amount and the nature of the Averages which have been definitively fixed and agreed upon between the British and American Commissioners.

*The Right Hon. George Canning.*

GEORGE JACKSON.

(Extract.)

*Board of Commissioners, September 11, 1824.*

THE Board having conjointly examined the testimony which was laid before them, under the authority of the President of The United States, and such other testimony as has been produced pursuant to the Convention, going to prove the true value of Slaves at the period of the exchange of the Ratifications of the Treaty of Ghent, and having conferred thereon, they unanimously agreed upon, and fixed the following Averages, to be allowed as compensation for each and every Slave, for whom indemnification may be due under the Convention; as follows, (that is to say)

For all Slaves taken from the States of Louisiana 580 Dollars.

For all those taken from the States of Alabama, }  
Georgia and South Carolina - - - - } 390 Dollars.

For all those taken from the States of Virginia, }  
Maryland, and all other States not named as above } 280 Dollars.

JAMES BAKER, Secretary.

\* Presented to the House of Commons May 2nd, 1825.



*George Jackson, Esq. to Mr. Secretary Canning.*

(Extract.)

*Washington, December 15, 1824.*

I HAVE now the honour to inform you of the re-assembling of the Board pursuant to adjournment, on the 8th instant, and to enclose the Copy of a Letter received three days afterwards from the Secretary of State, transmitting the definitive List, beginning with Maryland, and going South to Louisiana, an abstract of which I have also the honour to subjoin.

*The Right Hon. George Canning.*

GEORGE JACKSON.

*The Hon. J. Q. Adams, to the British and American Commissioners.*

(Extract.)

*Washington, December 9, 1824.*

I HAVE the honour to transmit to you, agreeable to the Third Article of the St. Petersburg Convention, and in consequence of the information in your Letter of the 13th of September last, that you had fixed upon the average Value of Slaves, a definitive List of the Slaves, and other private property, for which the Citizens of the United States claim indemnification, which list is made up of several distinct abstracts for the respective States and Districts where the losses are stated to have been sustained.

*The British and American Commissioners.*

J. QUINCY ADAMS.

Claims for Slaves and Property, as stated in the Definitive List.

		No.	Dollars.	cents.	£.	s.	d.
Maryland.....	Slaves .....	717	201,750	-	45,393	15	-
	Property .....	67	66,630	22	14,991	16	-
Virginia .....	Slaves .....	1,722	487,059	84 <sup>2</sup> <sub>3</sub>	109,588	9	-
	Property .....	87	39,935	50 <sup>1</sup> <sub>2</sub>	8,985	9	6
South Carolina.....	Slaves .....	8	2,850	-	641	5	-
	Property .....	none	-	-	-	-	-
Georgia .....	Slaves .....	833	436,705	-	98,258	12	6
	Property .....	47	147,474	18 <sup>1</sup> <sub>2</sub>	33,181	14	-
Louisiana .....	Slaves .....	263	236,100	-	53,122	10	-
	Property .....	none	-	-	-	-	-
Mississippi .....	Slaves .....	22	11,200	-	2,520	-	-
	Property .....	none	-	-	-	-	-
Delaware.....	Slaves .....	2	no value fixed	-	-	-	-
	Property .....	2	250	-	56	5	0
Alabama .....	Slaves .....	31	9,600	-	2,160	-	-
	Property .....	none	-	-	-	-	-
Maine .....	Slaves .....	none	-	-	-	-	-
	Property .....	3	7,434	-	1,672	10	-
Town of Alexandria, and District of Columbia....	Slaves .....	3	1,100	-	247	10	-
	Property .....	39	42,263	86	9,509	10	-
Total No.		3,846	D.1,690,352	61 <sup>3</sup> <sub>3</sub>	£380,329	6	-

## Claims for Slaves.

	No.	Dollars.	cents.	£.	s.	d.
Maryland .....	717	201,750	—	45,393	15	—
Virginia .....	1,722	487,059	84½	109,588	9	—
South Carolina.....	8	2,850	—	641	5	—
Georgia.....	833	436,705	—	98,258	12	6
Louisiana .....	263	236,100	—	53,122	10	—
Mississippi .....	22	11,200	—	2,520	—	—
Delaware .....	2	no value fixed.		—	—	—
Alabama .....	31	9,600	—	2,160	—	—
Maine .....	none	—	—	—	—	—
Town of Alexandria and } District of Columbia.. }	3	1,100	—	247	10	—
Total No	3,601	D.1,386,364	84½	£.311,932	1	6

## Claims for Property.

	No.	Dollars.	cents.	£.	s.	d.
Maryland .....	67	66,630	22	11,991	16	—
Virginia .....	87	39,935	50½	8,985	9	6
South Carolina ...	none	—	—	—	—	—
Georgia ..	47	147,474	18½	33,181	14	—
Louisiana .....	none	—	—	—	—	—
Mississippi .....	none	—	—	—	—	—
Delaware .....	2	250	—	56	5	—
Alabama .....	none	—	—	—	—	—
Maine .....	3	7,434	—	1,672	10	—
Town of Alexandria and } District of Columbia.. }	39	42,263	86	9,509	10	—
Total No.	245	D.303,987	77	£.68,397	4	6

Number of Slaves, valued according to the Sectional Average  
established by the Board.

	No.	D.	Dollars.	£.	s.	d.
Maryland .....	717	by 280	200,760	45,171	—	—
Virginia ...	1,722	280	482,160	108,486	—	—
South Carolina.....	8	390	3,120	702	—	—
Georgia.....	833	390	324,870	73,095	15	—
Louisiana .....	263	580	152,540	34,321	10	—
Mississippi .....	22	280	6,160	1,386	—	—
Delaware .....	2	280	560	126	—	—
Alabama .....	31	390	12,090	2,720	5	—
Town of Alexandria and } District of Columbia .. }	3	280	840	189	7	—
Total No.	3,601	—	D.1,183,100	£.266,197	10	—

*SPEECH of The Lords Commissioners on the Prorogation  
of the British Parliament, on Wednesday July 6, 1825.*

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MY LORDS, AND GENTLEMEN,

The business of the Session being now brought to a conclusion, we are commanded by His Majesty to express the great satisfaction which He feels in releasing you from your laborious attendance in Parliament.

His Majesty returns you His warmest acknowledgments for the zeal and assiduity with which you have prosecuted the inquiries into the State of *Ireland*, which He recommended to you at the opening of the Session.

It is a particular gratification to His Majesty, that the tranquillity and improved condition of that part of The United Kingdom have rendered the extraordinary powers with which you had invested His Majesty no longer necessary for the Public Safety.

His Majesty is happy to be able to announce to you, that He receives from all Foreign Powers the strongest assurances of their friendly disposition towards this Country, and of their desire to maintain the general Peace.

While His Majesty regrets the continuance of the War in the *East Indies* with the *Burmese* Government, He trusts that the gallant exertions of the *British* and Native Forces, employed in Operations in the Enemy's Territory, may lead to a speedy and satisfactory termination of the Contest.

GENTLEMEN OF THE HOUSE OF COMMONS,

WE have it in command from His Majesty to thank you for the Supplies which you have granted to Him for the Service of the present Year, and at the same time to express the satisfaction which He derives from the reduction you have found it practicable to make in the burthens of His People.

MY LORDS, AND GENTLEMEN,

His Majesty has commanded us to assure you, that He is highly sensible of the advantages which must result from the Measures you have adopted, in the course of this Session, for extending the Commerce of His Subjects, by the removal of unnecessary and inconvenient restrictions, and from the beneficial relaxations which you have deemed it expedient to introduce into the Colonial System of this Country.

These Measures, His Majesty is persuaded, will evince to His Subjects in those distant Possessions the solicitude with which Parliament watches over their welfare: they tend to cement and consolidate the Interests of the Colonies with those of the Mother Country; and His Majesty confidently trusts that they will contribute to pro-

mote that general and increasing Prosperity on which His Majesty had the happiness of congratulating you on the Opening of the present Session, and which, by the Blessing of Providence, continues to pervade every Part of His Kingdom.

### PAPERS RELATING TO THE BURMESE WAR.

Presented to both Houses of Parliament by His Majesty's Command,  
24th February, 1825.

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#### No. 1.—*The Governor-General in Council to the Secret Committee of the Court of Directors of the East India Company.*

(Extract.) *Fort William, in Bengal, Nov. 21, 1823.*

YOUR Honourable Committee is aware that for some years past the Burmese have gradually been encroaching on the South Eastern frontier of Chittagong, and advancing pretensions to the Jungles frequented by our elephant hunters, though unquestionably situated within the established British boundaries.

In pursuance of this system of encroachment and aggression, the Burmese Local Authorities in Arracan set up a claim to the Island of Shapuree, or, as they term it, Shein-ma-bu, situated at the extreme point of the narrow strip of main land forming the Southern portion



of the Chittagong district, and separated from it only by a shallow channel, which is continually filling up.

The main stream of the Nááf, upwards of two miles in breadth, the acknowledged Boundary of the two States, flows between the Island and the Eastern, or Burmese bank of that river. Early in the present year the Magistrate of Chittagong reported, in his Correspondence in the Judicial Department, that a Mug boat, laden with grain, in passing near to the Island of Shahporree, was stopped by a party of Burmese, armed with matchlocks, and the manghee, or steersman, shot dead on the spot. The only cause, to which the Magistrate could ascribe this violent proceeding on the part of the Burmese, was the hope entertained by them, that such an act of violence would deter the Company's Ryots from cultivating that Island. Farther enquiry having tended to confirm the Magistrate in the belief that the murder was premeditated, he judged it expedient to detach from the adjoining Thannah of Tek Nááfa guard of Provincials, consisting of a Jemadar and twelve men, to take post on the Island, with the view of preventing further outrage, and, generally, of affording security and protection to the peaceable Inhabitants of that quarter of the District.

Having subsequently reported that the Burmese were assembling in considerable numbers on the opposite bank of the Nááf River, with the intention of occupying the Island of Shapuree, or otherwise with hostile designs, the Magistrate was instructed to lose no time in adopting the necessary measures, in concert with the Commanding Officer at Chittagong, either to deter the Burmese from making such an attempt, or to compel them to abandon the Island, should they have forcibly taken possession of it.

For a detailed statement of the proceedings of the Magistrate of Chittagong, in the investigation of the murder of the Mug boatman, and of his Correspondence with the Burmese Authorities on that subject, and regarding their claims to the Island of Shaporee, we beg to refer your Honourable Committee to the annexed extracts from our Proceedings in the Judicial Department.

On the 26th of May last, the Magistrate reported, that he had not deemed it expedient to strengthen the military post on the Nááf, conceiving it might lead to the Burmese assembling a larger force, and be construed into a declaration of hostilities, observing, that if they were determined to attack the Island, it would require the whole force stationed at Chittagong to oppose them, and thus the Town itself would be exposed to the hazard of an incursion of the Burmese, through the passes in the hills to the Northward and Eastward. In the Correspondence which passed on the occasion, between the Magistrate and the Ucherung, or Burmese Officer, at Mungdoo, your Honourable Committee will observe, that the latter asserted the right of the Govern-

ment of Ava to Shahpooree as part of the province of Arracan, and required the Magistrate to withdraw the British post, and pull down the stockade, declaring that otherwise there would be a great quarrel.

Satisfied as we were of the indisputable title of the British Government to Shahpooree, as well from the position of the Island, as from the records of the Chittagong Collectorship, which shewed that it had invariably been comprehended in the Revenue Settlements, we directed the Magistrate to arrange the information and proofs in a clear and intelligible form, and communicate the substance to the Ucherung of Mungdoo, stating at the same time, that the communication was made in order to put him in possession of the facts of the case, and to shew that any attempt on the part of the Burmese to take forcible possession of the Island, or to attack the Post established there, must be viewed as an hostile and unprovoked act of aggression on their part, for the consequences of which the Local Authorities would be held responsible to their Sovereign. The Magistrate was directed to state further, that the British Government was always disposed to take into consideration the claims of neighbouring Powers, when brought to its notice in a friendly and proper manner, and to decide upon them with due regard to justice and equity, but that, even if our right to the Island was less certain than it undoubtedly was, any attempt on the part of the Uchurung to obtain forcible possession of it would be resisted, and the Aggressors punished.

On the 17th June last, the Magistrate of Chittagong acknowledged the receipt of the instructions, of which the substance has been stated in the preceding paragraph, and took that opportunity of reporting, that the reply which he had received on the preceding day from the Uchurung of Mungdoo, had removed all apprehensions of any immediate attack on Shahpooree. He remarked at the same time, that the Burmese Local Authorities evidently assumed in their correspondence a right to the River Nááf, to the exclusion of British Subjects, and considered the limits of the British Territories to be the Thanah of Tek Nááf, and not to extend beyond the edge of the River. He stated also the fact of the Channel between the Island and Tek Nááf being fordable at low water, while the main channel of the Nááf was entirely on the other side of the Island, with continued deep water, to the Arracan shore.

On the 2d August the Magistrate transmitted a Copy of a Report, dated 26th July, from the Darogah of Tek Nááf, together with a statement given by a person named Yakoob, who had been sent to Arracan to obtain information of any preparations making by the Burmese for an attack on Shahpooree. Yakoob reported, that one hundred war boats, and two thousand men were collected at the fort of Arracan, a statement which we believed to be much exaggerated, and entitled to little credit.

On the 6th August, the Magistrate transmitted the deposition

by Yakoob, taken before him on oath, the substance of which was as above stated. In reply to a question from the Magistrate, Yakoob expressed his opinion, that the Burmese would attack the Island in the months of September and October.

About the same time as the date of the Magistrate's Letter, last referred to, a Vakeel, dispatched by the Rajah of Arracan, arrived at the Presidency, with a Letter for the Governor-General, in which the Rajah claimed the Island of Shahporee, as having always been annexed to the Arracan Province, and requested that the British post might be removed from it, as the maintenance of a guard there might lead to dispute, and eventually cause a rupture of the friendship and harmony subsisting between the two States. To this Letter an answer was returned, stating the undoubted title of the British Government to Shahporee, and the Governor-General's persuasion, that the passage in the Rajah's Letter, expressing an apprehension as to the possibility of a rupture, arising out of the circumstance of our maintaining a small post on an Island of our own, must have been written incautiously and without due reflection. It was added, that it did not appear from the contents of the Rajah's Letter, that his communication had been made with the knowledge or authority of the King of Ava, and that our respect for His Majesty's wisdom and discernment satisfied us, that on his learning the particulars, he would not fail to recognize the justice of the title by which the British Government held, and would continue to hold, the Island in question.

Farther we stated, that, should the arguments which demonstrated our right to the disputed position, fail to produce conviction on the Rajah's mind, it would afford us much satisfaction to depute an Officer of rank, during the ensuing cold season, to meet a Commissioner from Arracan, and to settle all such questions on the spot.

In our instructions to the Magistrate, in reply to his Letter of the 6th August, above adverted to, we apprized him of our receipt of the Letter from the Rajah of Arracan, and our reply, as substantially stated in the preceding paragraph, and expressed our confident expectation, that the explicit declaration of our right to the Island, coupled with the consideration of the incontrovertible proofs and arguments by which it was supported, and of our determination to maintain possession, would satisfy the Burmese Authorities of the futility of urging any farther claims or demands on the subject. We could not, we remarked to the Magistrate, bring ourselves to believe that the Government of Ava so incorrectly appreciated the actual state of the British Power in India, as to permit any of its Provincial Governors wantonly to provoke hostilities, in the prosecution of an unjustifiable attempt to encroach on the Territories of the Honourable Company.

On the 22d September last, the Magistrate reported that he had forwarded the Letter from the Governor-General to the Rajah of Arra-

can, stating at the same time, that the general impression among the Mugs to the Southward was, that the Burmese would certainly attack the Island of Shahporee when the season would admit of it, and expressing his own opinion, that every thing indicated symptoms of a hostile intention on their part.

On the 28th of the same month, Mr. Warner reported to us by an express, that a Burmese force of about 1,000 men had actually attacked and taken the Island on the 24th, killing three Sepoys, and wounding three others. In his despatch of the following day, the 29th, Mr. Warner reported such particulars of the attack as had come to his knowledge, stating that, as far as he could learn, the attack was made by the Rajah of Rynberry (or Ramré) under orders said to have come direct from the King of Ava; that the Rajahs of Arracan, Myoon, (or Cheduba) and Candoo, were also collecting their troops, and that the whole force those four Rajahs would assemble, was rumoured to be 15,000 men. Mr. Warner further stated, that a general opinion prevailed that they would enter the British territories in force, and chiefly by night attacks, plunder and destroy the villages, especially Cox's bazar and the adjacent Mug villages.

The preceding accounts from the Magistrate, were followed by further reports, dated 30th September, and 1st ultimo, detailing the proceedings of the Burmese since their occupation of Shahpooree, and the consternation of the Mug population to the Southward, and stating that the Darogha, at Tek Nááf, had reported that sixty boats were collected on the opposite banks of the Nááf, for transporting the Burmese army across that river into the British territories.

Having taken the contents of the Despatches above referred to, into consideration, our first view of the case was, that the gross and deliberate outrage committed by the Burmese, and their reported collection of a large body of troops, which had assumed a menacing attitude on our frontier, called for the immediate adoption of the most decisive measures, not only for their expulsion from the Island and the protection of our territories from further aggression, but for the signal and exemplary chastisement of the Aggressors.

We accordingly resolved, that an adequate military force should be forthwith prepared to proceed to the Southern part of the Chittagong coast, with instructions to adopt the most prompt and effectual measures for attacking and expelling the Burmese from the Island of Shahpooree, or any other portion of the British territory of which they might have taken possession, and for capturing and destroying their war boats and military posts and equipments in the Nááf river, and along its shores, as a just measure of retribution, and a decisive check to all further violation and assault of the British Possessions. In the probable event of the Burmese having retired from Shahpooree, and from the Nááf river, before the arrival of the expedition and



commencement of operations against them, and even otherwise, if feasible, and if too great a risk should not be involved, we resolved that the Officer commanding the detachment should be directed to pursue the Aggressors to the river of Arracan, from whence the Burmese expedition appeared to have issued, and capture and destroy all the war-boats which might be found in that river, carefully avoiding injury to private property, and strictly prohibiting plunder of every kind. It appearing also from information communicated by the Magistrate of Chittagong, that the troops and war-boats employed to invade Shahpooree, were assembled at the fort of Arracan, we resolved to authorize the Officer commanding the expedition to exercise his discretion, as to attacking and carrying the fort of Arracan itself, after duly advertg to the information which he would receive in the immediate neighbourhood, both as to the navigation of the river, and as to the probable effect of the climate on the health of Europeans.

Having nevertheless determined to treat the outrage at Shahpooree as the act of the Local Burmese Authorities alone, unauthorized by their Sovereign, we proposed at the same time to address a Letter of remonstrance to the King of Ava, notifying the measures which the British Government had been compelled to adopt for the vindication of its authority, and the immediate chastisement of the authors of so flagrant an attempt to disturb the relations of Amity and Peace subsisting between the two Governments, assuring His Majesty, that it was our most sincere and cordial desire to maintain those relations unimpaired, and calling upon the Government of Ava, to disavow the hostile acts of its Subordinate Authorities, and to mark its displeasure at their conduct by removing them from their respective governments, and inflicting on them public and exemplary punishment, as an atonement due to the British Power for the insult sustained by the violation of its Territories.

We judged it advisable to require the presence of two of the Honourable Company's Cruizers from Bombay, to be stationed on the Chittagong coast, and to be available also for the conveyance of an Agent to the Burmese Dominions, should the course of events render such a measure expedient.

While the necessary arrangements to give effect to our resolutions were making in the Military Department, the Reports received from the Magistrate of Chittagong, dated the 3d, 4th, 5th, 6th, and 8th ultimo, considerably altered the appearance of affairs, and satisfied us that the strength and menacing attitude of the Burmese force had been much exaggerated. Whatever the determination of the Court of Ava might be on our forcible re-occupation of Shahpooree, it appeared to us that their original object was exclusively confined to the seizure of that Island, which they affected to treat as theirs of right, and that no immediate danger existed of an attack from them on any other quarter of our Territories.

Under these circumstances we deemed it expedient to countermand the embarkation of the European portion of the troops destined to proceed on the expedition, and to limit our operations to the re-occupation of Shahpooree, and the reinforcing that post and the station of Coxe's Bazar, until it should more fully appear what turn affairs were likely to take, when the Court of Ava came to be apprised of our proceedings.

We accordingly resolved that the native detachment of Troops and the detail of Artillery should proceed to the Chittagong District, to be placed under the orders of Lieutenant-Colonel Shapland, the Officer commanding at that Station, who was instructed to restrict his operations to the expulsion of the Burmese from Shahpooree, and the protection of the British territories against further aggression. We instructed the Magistrate at the same time distinctly to apprise the Burmese that any assembling of war-boats on the Nââf would be regarded, after what had passed, as an hostile demonstration, and that they would immediately be attacked and destroyed.

With this view we directed that such of the vessels carrying the reinforcements from the Presidency, as might be available, should be stationed at the mouth of the Nââf, to remain there until arrangements could be made for their relief by the arrival of cruizers from Bombay, or by fitting out suitable gun-boats at the Presidency.

Under the resolution we had now adopted, to abstain from offensive measures against the Burmese on their own territories, it became necessary to modify the communication we were preparing to make to the Government of Ava. It appeared sufficient to us to transmit, through the Viceroy of Pegue, a Declaration to the Burmese Government, of the views and sentiments of the British Government, regarding the late outrage at Shahpooree, and the course which, in our earnest desire to maintain the relations of Amity and Peace between the two States, we had resolved to pursue, pending a reference to the Court of Umrappora, which would thus have an opportunity of disavowing and making reparation for the insult offered to us. A Paper to the above effect was accordingly drawn up, accompanied by a Letter to the Viceroy of Pegue, and has been despatched by a ship bound to Rangoon, it being no longer deemed necessary to engage a vessel for that special purpose, as we had originally proposed.

On the 10th ultimo, the Magistrate reported to us, that it appeared from the information received from Tek Nââf, that the Burmese Local Authorities in Arracan, had declared that our attempt to retake Shahpooree, would lead to a war between the two States. It was also stated from the same quarter, that those Authorities had sent intelligence of the capture of the Island to the King of Ava.

In his Despatches of the 16th and 23d ultimo, the Magistrate

reported that the Local Burmese Authorities continued to intimate their intention to resist our attempt to retake the Island of Shahpooree, and expressed his opinion that it was very probable they would not only act up to that declaration, but invade our territories in considerable force.

On the 22d ultimo, we received a Despatch from Captain Baker, reporting the return of the messenger employed by the Magistrate to carry the Letter from the Governor-General to the Rajah of Arracan. Captain Baker, it may be proper to state in this place, is the Officer whom your honourable Committee, on a reference to our proceedings of the 10th ultimo, will observe we had selected to accompany Lieutenant-Colonel Mac Creagh, as interpreter and political assistant on the proposed expedition against the Burmese, and who had proceeded to Chittagong on the steam vessel, a few days before our determination to countermand the European portion of the expedition in question. This messenger was the bearer of an answer from the Rajah, couched in the most insolent terms, asserting that the Island of Shahpooree had never been subject either to the former Mussulman Government of Bengal, nor to the English; that the stockade which we had erected had consequently been destroyed by his orders; that if we wanted tranquillity we must be quiet, but that if we reconstructed the stockade on this Island, he would cause to be taken by force of arms the cities of Dacca and Moorshedabad, which originally belonged to the great Arracan Rajah.

The messenger reported, amongst other matters, that the Rajah verbally repeated to him all the former declarations regarding Shahpooree, and added, that if the British Government attempted to retake it they would invade Bengal, by Assam and Goalpara, whither 3,000 men had just gone, and would enter Chittagong by the mountains from Gooorjeeneea up to Tipperah. The Rajah distinctly asserted also, that the King of Ava had armies ready for the invasion of the British Dominions at every point; that it was by His Majesty's Orders they had driven us from Shahpooree, and by His Orders it was to be maintained. It was further stated by the messenger, that a Talputta, (or long slip of palm-leaf,) on which he saw the King of Ava's seal, was produced, and the Royal Order to drive the English from Shahpooree, was read in his presence.

Anxious as we are to avoid a rupture with the State of Ava, as long as forbearance shall be compatible with our interests and reputation, we are impressed with a strong persuasion, founded on the experience of the past, that no permanent security from the aggressions of the Burmese, whether on the Chittagong frontier or to the Northward, can be safely calculated on, until that People shall have been made to feel the consequences of their provoking the British Government to depart from the pacific line of policy it has hitherto pursued; the

motives for which, there is too much reason to believe, have always been misconstrued by the arrogant and barbarous Court of Ummera-poor.

Acting on the principles above adverted to, we have uniformly declined to listen to any overture from the Assamese, for assistance in their struggle with the Burmese, for the independence of their Country, and we will persevere in the same course, unless some fresh act of aggression, on the part of the Burman Government Itself, shall compel us to resort to arms.

Your Honourable Committee will have remarked, that we have treated the attack on Shapuree as the unauthorized act of Subordinate Officers, who would have it believed, that, in taking possession of that Island, they have not violated the British territories, but only resumed what we had usurped; this plea can no longer avail them, as we have distinctly declared, and offered proof of our declaration, that the Island is a portion of the British Dominions, and have apprised the Court of Ava of our determination to re-occupy and maintain it as such. Any subsequent attack on that Island, therefore, or any attempt on the part of the Burmese to execute their threats of invasion elsewhere, must necessarily be considered hereafter as undertaken by the orders of the King of Ava, and must be treated accordingly as a declaration of War.

We have deemed it expedient to summon to the Presidency an Officer, peculiarly qualified by his repeated missions to the Court of Ava, and his intimate acquaintance with the character and disposition of the Burmese, to be employed either as a Political Agent on a friendly mission, or to accompany any Military Force that it may become necessary to employ against them. We allude to Captain Canning, whose services on the former occasions of his deputation to Ava are well known, and have been duly appreciated by your Honourable Committee: with regard to this measure, we were the more induced to adopt it, as it appeared to us extremely desirable to take advantage of the present favourable period of the year, to bring to an early termination our disputes with the Burmese on the Southern frontier of Chittagong, and thus be enabled to withdraw our Troops from that unhealthy quarter before the return of the sickly season. The presence of Captain Canning at the Presidency at the time when the answer from the Court of Ava to our Declaration may be expected to arrive, will enable us at once to depute that Officer to Rangoon, should such a measure then appear expedient, as affording well-grounded hopes of effecting, by negotiation, a satisfactory adjustment of all points, or to avail ourselves of the aid of his great local knowledge and experience, in making the necessary arrangements for effecting by intimidation what there may no longer remain any prospect of obtaining by amicable remonstrance and representation.



*Enclosure. (M. 1.)—DECLARATION on the part of the Right Honourable the Governor-General in Council, to the Burmese Government.*

October 17, 1823.

THE recent disturbance on the Southern frontier of Chittagong has induced the Right Honourable The Governor-General to direct that the following Declaration respecting the facts of the case, and the sentiments and resolutions to which they have given rise, should be prepared on his part for transmission to the Burmese Government.

Early in the present year, the perpetration of a most unprovoked and atrocious murder, on the person of a British Subject, named Kunchuck, by a party of armed Burmese, belonging to the post of the Achurang of Mungdoo, in the vicinity of Shapuree, suggested to the Magistrate of Chittagong the expediency of placing a small guard on the Island to quiet the apprehensions, and to protect the lives and properties of the inhabitants of that quarter of the district. Upon the adoption of this necessary and perfectly legitimate measure of police, the local Burmese Authorities, regardless of the friendship and good understanding subsisting from of old between the two States, presumed to warn off the British troops in the language of menace, and formally to claim the Island of Shapuree as belonging to Arracan, under the designation of Shein-Mabu. The demand, notwithstanding its utter want of foundation, was met by a polite and temperate statement of the incontrovertible grounds on which the title of the British Government to that portion of the Chittagong Territory rests, and the argument was repeated, with the adduction of fresh proofs, in a Letter from the Governor-General to the Governor of Arracan, written only last month, in reply to a requisition on his part for the retirement of the British guard, and surrender of the Island. For the particulars of the proofs and reasoning which demonstrate the title of the British Government to the Island of Shapuree, it can only be necessary to refer to the above Document itself (Copy of which is subjoined). From this paper also it will be observed, that the Governor-General offered, should his argument fail to produce conviction on the Rajah's mind, to depute an Officer to discuss and adjust all questions on the South-East boundary of Chittagong, with an Agent deputed from Arracan, during the present season.

The Governor-General has now learnt, with equal astonishment and indignation, that before this Letter could have reached the Rajah of Arracan, the British party at Shapuree was suddenly, and under cover of the night, attacked by a large force of Burmese (acting apparently under the orders of the Rajah of Ramré,) who killed and wounded five of the British Sepoys, and usurped forcible possession of the Island.

Ever ready to receive with temper, and to investigate in the spirit of fairness and equity, any claims which foreign States may have to

prefer against it, the British Government in India entertains too just a sense of its power, dignity and essential interests, to yield even the most trifling point to menace. Still less can it permit success to attend any attempts to enforce an unjust demand on its territories, by acts of positive violence and aggression. The Governor-General has accordingly despatched a reinforcement to the Southern quarter of Chittagong, to recover immediate possession of Shapuree, to expel by force of arms any Burmese Troops who may be found on the Island, and to remain in that quarter for the purpose of preventing fresh aggression, so long as the Authorities in Arracan shall continue to maintain their present tone of menace and hostility.

Although the Burmese Officers have presumed to use the name of their Sovereign as a sanction to their conduct, in attacking the British post at Shapuree, the Governor-General is reluctant to believe that His Majesty can have authorized the commission of so serious an outrage against a Friendly Power, at least with a full knowledge of facts and circumstances. He rather adopts the conclusion, either that the Rajah of Ramré, whose rashness and insolence have before given just offence to this Government, has, in the prosecution of some unworthy and chimerical purpose of his own, ventured to act in the affair without any authority, or that if his proceedings have been in any degree authorised, the judgment of His Majesty the King of Ava must have been practised upon, and misled by some gross misrepresentation and perversion of the truth. The Governor-General expects and demands therefore, now that the real facts of the case have been fully explained, that His Majesty the King of Ava will hasten to evince his just indignation at so flagrant an attempt to produce dissention between two Friendly States, by inflicting an adequate and exemplary punishment on the Authors of the disturbance, by removing them for ever from their situations, and by issuing such orders to the local Officers of Arracan for their future guidance, as will effectually prevent the recurrence of disputes and differences on the frontier.

Actuated by the most cordial solicitude to preserve unimpaired the existing relations of Peace and Amity between the two States, the Governor-General has, on this occasion, confined his measures to the indispensable object of recovering possession of the Island of Shapuree, and to the above exhibition of the unwarrantable and offensive proceedings of the Burmese local Officers in Arracan, in the expectation already stated, that the Court of Ava will perceive the necessity of adopting, without delay, such measures as may atone for the past, and prevent the long-established harmony and good understanding between the two Governments from being exposed to similar hazard of interruption hereafter. The Governor General deems it however, incumbent on him in the actual posture of affairs, to call the attention of the Burmese Government in the most pointed and solemn

manner to the consequences which must necessarily ensue, if the insulting tone and unguarded procedures, adopted by the local Burmese Officers, at every point where they have come in contact with the British Power, but more especially of late in Arracan, are longer persisted in. The forbearance and moderation of the British Government, and its unfeigned disposition to cultivate the relations of peace and concord with the State of Ava, have been continually manifested during a long course of years, and never more unequivocally so, than under the present provocation. But the Burmese Government will be sensible, that patience and forbearance, under a succession of petty insults and encroachments, must have their limits; and it cannot be ignorant either of the means which the British Government in India possesses for avenging wrongs and outrage, or of the fact, that its strength and resources have never yet been exerted in vain for the vindication of its rights and honour.

The sincere respect which the Governor-General entertains for the personal character of His Majesty the King of Ava, and his confidence in the wisdom which pervades the Royal Councils, persuade him, that a consideration of the above grounds of remonstrance, will induce His Majesty to afford the reparation due to the British Government, and to prescribe such a course to His Ministers, as may effectually preclude the repetition of insult and aggression on the Chittagong frontier hereafter. Under any result, his Lordship will enjoy the consolation of reflecting, that by the temper and moderation evinced on the present occasion, he has afforded fresh and striking proof of the desire, on his part, to preserve unaltered the mutually beneficial connection so long established between the Burmese Empire and the Territories of the Honourable Company in India.

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*Enclosure (M. 2.)—The Governor-General in Council to His Excellency The Vice-Roy of Pegue, dated 17th October, 1823.*

After Compliments,

(Translation.)

I have the honour to forward to your Excellency's care, a Declaration prepared on my part, to the address of the Burmese Government, which, as it relates to matters of the highest importance, I request the favour of your transmitting to the Court of Ammerapoor, by the surest and most expeditious channel.

Adverting to the friendly connection which has so long subsisted between the two States, and the desire uniformly evinced by the Minister holding the Office of Vice-Roy of Pegue, to improve and cement the relations of amity, and to augment the commercial intercourse between the British and Burmese Dominions, I feel persuaded that Your Excellency will learn, with regret, the rashness and folly of which the local Officers of the Burmese Government in Arracan, have recently

been guilty in the Chittagong frontier, and to which the Paper now forwarded relates.

The most probable view of the case appears to be, either, that the Rajahs of Arracan, Ramré, &c. have acted entirely on their own responsibility, or that if their proceedings have been in any degree authorised, the judgment of his Majesty the King of Ava must have been practised upon, and misled by gross misrepresentations and designed perversion of the truth on the part of the local Officers of the distant Province of Arracan, who, for some unworthy purpose of their own, and utterly regardless of consequences, have dared to represent the Island of Shuparee as belonging to Arracan, and perhaps even to exaggerate a simple police arrangement of the British Government, into an invasion of the Burmese Territories. The object, therefore, of the accompanying Declaration, is to place the real facts of the case fully and distinctly before His Majesty, and to state the demand and expectation of the British Government, that the Court of Ava will take such notice of the insolent and unwarrantable proceedings of its Officers, as the circumstances of the case imperatively demand.

Cordially solicitous to maintain the relations of peace and amity with the State of Ava unimpaired, it will afford me the most lively satisfaction to find, that the sentiments entertained by His Burmese Majesty on this affair, are such as not only to render unnecessary any interruption of the intercourse and connection which have proved so beneficial to both Countries, but even to rivet the bonds of friendship more firmly than before, by occasioning the removal and punishment of the Authors of this and former acts of outrage and aggression on the Chittagong frontier.

The exigencies of the public service in other quarters, will prevent the Vessel which conveys this Letter from being the bearer of the answer; but a reply will of course be expected by this Government at as early a period as the means of communication between the two Empires will admit of.

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*No. 2.—The Governor-General in Council to the Secret Committee of the Court of Directors of the East India Company.*

(Extract.)

*Fort William, January 9th, 1824.*

IN our Despatch, dated 21st November, we had the honour to report on the differences which had unfortunately arisen with the Burman Authorities of the Arracan Province, respecting the occupation of the Island of Shapuree, the insolent and unwarrantable conduct and language of those Functionaries, in first expelling, by force of arms, the British post stationed on the Island, and afterwards menacing a general War and invasion of our Territories, in the event of measures being taken for its re-occupation; also the precautionary arrangements which we had thought it expedient to adopt for reinforcing Chit-



tagong, and the Eastern frontier generally, and the measures contemplated by us in the then not unlikely contingency of an actual rupture with the State of Ava. We propose in this Letter to continue the narrative of events and occurrences on the Line of the Eastern frontier, down to the latest date to which our advices extend, under the several heads of the Nááf River, Cachar and Assam.

The detachment sent by sea from hence, to occupy the Island of Shapuree, at the mouth of the Nááf River, and to reinforce the posts in the Southern part of the Chittagong district, did not, owing to the unseasonable and tempestuous state of the weather at the head of the Bay of Bengal, reach the Island until the 21st November. No symptoms of further hostile designs or preparations were visible on the part of the Burmans at the period of their arrival, and two companies of the detachment accordingly took possession of Shapuree without the slightest opposition being offered. A Vakeel from the Arracan side of the River shortly afterwards waited on Lieutenant-Colonel Shapland, to complain of the plunder of a village by some Mugs enjoying the protection of the British Government, and to enquire the cause of the British troops appearing in that quarter in such force. The Lieutenant-Colonel informed him, that his object was simply to occupy and keep possession of Shapuree, and at the same time presented him with Copies of a Proclamation issued by the Magistrate, in general conformity with the instructions which we had given, explanatory of the views of the British Government on that frontier, and our pacific intentions, notwithstanding the late outrage.

The above application of the Vakeel was followed by a Letter from Bhuman Do, a Burman Officer of rank on the Eastern bank of the Nááf, again asserting the title of his Government to the Island of Shapuree, and intimating that its continued occupation by a British force would lead to a serious rupture between the two States. To this Colonel Shapland very properly replied, by referring to the tenour of the Magistrate's Communications and Proclamations regarding the Island, and by repeating the determination of the British Government to maintain possession.

Your Honourable Committee will observe, from several passages in the Communications of Lieutenant-Colonel Shapland, and the Magistrate of Chittagong, that from the first moment of the arrival of the detachment in the Nááf, the Burman Chiefs and Sirdars of the adjoining Territory professed the fullest desire to maintain a friendly intercourse and correspondence with the Officer commanding, but unreservedly declared, that their future conduct must be guided entirely by their orders from the Court of Ava, to which every thing had been reported, and that the question of Peace or War between the two Governments, would be decided by that authority.

In the Magistrate's Despatch of the 1st ultimo, your Honourable

Committee will find enclosed a private Letter from Captain Cheape, the Engineer Officer and Surveyor deputed to the South Eastern frontier, containing a very interesting account of his conversation with Hussen Ali, the Vakeel from Arracan, in the course of which Captain Cheape judiciously took occasion to explain the views and motives of Government, in dispatching a force to that quarter, and its intentions generally, with regard to the demarcation of such a Boundary Line as would prevent the future recurrence of disputes and encroachments. His communications were well received by the Vakeel, who, however, professed his incompetency to agree to any specific arrangement, without express authority from the Court of Ammerapura, conveyed through the Rajah of Arracan. We hope to learn at an early period, that Captain Cheape has made some progress in the important task of laying down the proposed Boundary, in concert with an authorized deputy from Arracan, as Mr. Robertson, the Officer lately appointed to officiate as Magistrate and Political Agent in the District, has now proceeded to the Nââf to superintend the commencement of operations for that purpose. The communications likewise just received from Captain Cheape, through the Surveyor-General, further induce us to hope, that no material difficulty will be experienced in the execution of the above duty.

Whilst we were deliberating how to shape our proceedings, the differences broke out with the Burmese on the Chittagong frontier, the threat of invading the British Territory from Assam, down to Ramoo was distinctly advanced by that arrogant People; and a private communication from Mr. Scott, the Agent to the Governor-General on the N. E. frontier, dated 11th November, informed us, that a force had actually been despatched from Assam to conquer Cachar. Upon the receipt of the latter advice, we came to the opinion that after the steps which had been already taken by the British Government, for effecting a connection of a tributary and protective nature with the State of Cachar, and adverting to the confirmation which our former views of the policy of such a connection had received, from the recent hostile demeanour and language of the Burmahs on the Southern frontier, it would be a culpable dereliction of our own interests, if we suffered the Burmahs to carry into execution this fresh purpose of aggression. We accordingly instructed Mr. Scott, to address a Letter to the Commander of the Burmah force, or the Governor of Assam, requiring them to desist from the project of invading Cachar, on the ground that we had taken that Country under our protection.

We apprized the Agent to the Governor-General, that in the communications which he would hold with the Burman Administration in Assam, it would be necessary to assert distinctly, though in terms as courteous as the occasion admitted, the prior title of the British Government to interfere for the settlement and protection of Cachar, and

likewise its determination not to allow a Country, thus circumstanced with respect to the British frontier, to be over-run and occupied by the forces of a Foreign Power.

The latest advices from Rangoon were brought by an Arab Ship, the Fulk, which left on the 10th ultimo: her Commander has furnished intelligence in substance as follows to our Secretary, viz.:—that the Ship which conveyed the Declaration to the Burmese Government had reached Rangoon, four days previous to his departure, and the Packet had been delivered to the Vice-Roy, when an Express was immediately sent off to Ammerapoor. His Excellency the Vice-Roy, as well as the other Members of the Rangoon Government, had preserved an entire silence on the subject of the Governor-General's communication, but an Embassy from the King to Calcutta was talked of; trade had suffered no interruption, and no measures had been taken to molest the European Settlers in the Dominions of Ava, though the latter were far from being satisfied as to their personal security. We profess ourselves to repose little confidence, either in the prudence or the moderation of the Court of Ava, and must naturally therefore look forward with anxious interest to the arrival of a reply from the Burmese Government to our Letter of expostulation and remonstrance.

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*No. 3.—The Governor-General in Council to the Secret Committee of the Court of Directors of the East India Company.*

(Extract.)

*Fort William, February 23d, 1824.*

WE have much concern in reporting the unfavourable turn which our differences with the Burmese have taken since the close of our Despatch, dated 9th January. It being our duty as it our sincere desire to keep your Honourable Committee fully apprized of the progress of those events and transactions which have terminated so seriously, we have prepared a detailed narrative of our proceedings from the 9th ultimo, down to the 20th instant, interspersed with a few occasional remarks, to which we have to request your attention in the first instance, and we shall conclude with laying before you, a general outline of the views and resolutions which we have been compelled to adopt in the present crisis of affairs on our Eastern frontier.

It is proper to state in the outset, that up to this date, no notice whatever has been taken by the Government of Ava, of the Declaration transmitted to that Court in November last, on the Subject of the outrage committed by the Rajas of Arracan, in the attack of the British Post at Shapuree, and the slaughter of our guard in the month of September last, and the sequel will abundantly show, that far from entertaining any disposition to disavow or redress that injury, the Burman Monarch himself obstinately perseveres in a system of injury and insult to the British power, and disdains to enter into negotiation or explanation.

Mr. Robertson, the gentleman whom we had appointed to act as Magistrate of Chittagong, and to conduct political affairs on the South Eastern Frontier, arrived at Tek Nááf on the 8th ultimo; on the 11th ditto, he reported to us, that the detachment on the Island of Shapuree, had been attacked with a peculiarly malignant fever, and that the climate of that spot had proved so peculiarly unhealthy that its further occupation for a long period would be impracticable. Such being the case, and as there existed at the moment no appearance of hostile preparation, he judged it expedient, after consulting with Lieutenant-Colonel Shapland, to direct the removal of the detachment, considering the moment to be favourable for the adoption of the measure which ere long the increased sickness would render inevitable, under any circumstances, and being further of opinion that the step would afford the fairest prospect of an amicable adjustment with the Arracanese Authorities. Mr. Robertson had previously addressed the Chief, called the Rajah of Arracan, requesting him to depute a competent and proper Officer to meet Captain Cheape and himself, for investigating and defining the Boundary between the two States. On removing the detachment from its position on the Island of Shapuree, Mr. Robertson conceived it proper to address a fresh Letter to the Rajah, stating that as two months had elapsed since the British Troops were stationed on Shapuree, and no indication having during that period appeared of any further attempt on his part to dispute the right of the British Government to the Island, considering also that since the first outrage an amicable intercourse had continued uninterrupted between the Subjects of both States, it was deemed superfluous to maintain the detachment there any longer, which had been in consequence removed. The Rajah was further informed, that the immediate object of the Letter was to apprise him of the above circumstances, that he might warn any of his subjects and followers against venturing to encroach on the Island, an act which would be resented and instantly punished.

We had not been previously apprized of the sickly state of the Officers and men on the Island of Shapuree, and adverting to this consideration and to the real unimportance of maintaining a guard at the place itself, with the view either to the assertion or the defence of our right, whilst so respectable a Force, both naval and military, was in the immediate neighbourhood, we regarded the measure adopted by Mr. Robertson, to be entirely proper and judicious, and we still think it so, notwithstanding that many untoward events and circumstances have since arisen in rapid succession, which it was impossible at the moment to foresee.

Only three days after the abandonment of the Post, Mr. Robertson learnt that the four Rajahs had again assembled their Forces at Low-adhung, with the declared intention of attacking and expelling our



detachment, under fresh Orders received from the Court of Ava, to dislodge the English at all hazard, and a Letter was brought to him from the Rajah of Arracan, announcing that circumstance, and stating that he had deputed four messengers to wait on him.

Those Agents, in the conferences which took place, insisted on the right of their Sovereign to Shapuree, argued the folly of going to war about such a trifle, and professed that they would be satisfied by a declaration that the Island should be considered neutral ground, and remain unoccupied by either Party. The tenor of the whole conversation left a strong impression on Mr. Robertson's mind, that the re-establishment of a Post on the Island would invite an attack on the part of the Burmese, and infallibly lead to a rupture, which he very naturally and justly deemed it a great object to avoid at so advanced a period of the season, though sensible that it might be eventually necessary under any turn which the Shapuree discussions might take, to adopt measures for compelling the Burman Nation to pay more respect than they had hitherto been disposed to show to the British power.

In our Instructions in reply, we expressed our conviction of the justice of the grounds on which the measure of withdrawing the detachment had been adopted, though immediately followed by a combination of circumstances which naturally excited our regret. Could it have been foreseen, we observed, that the pretensions of the Burmese to Shapuree were to be so soon renewed, accompanied by the threat that an Army had assembled at Lowadhung, and was approaching under orders from the Court of Ava to expel our Post by force of arms, it would have been necessary to continue the British Troops on the Island for a time at least, since our retirement would doubtless be imputed to the apprehensions of an attack. As the Troops had been removed, however, we did not see in these circumstances any paramount or adequate motive for directing their return, but left it to the discretion of the Magistrate and the Commanding Officer, either to adopt that measure according to circumstances, or simply to hold such a force in readiness at Tek Nááf, as, with the aid of the armed vessels in the River, would suffice for repelling and adequately chastizing on the spot any attempt which the Burmese might make to re-occupy the Island.

Relatively to the proposition of the Arracanese Vakeels for declaring the disputed Island to be neutral ground, we observed, that worthless and insignificant as the Place must be to either Party, and willing as the Governor-General in Council might have felt to listen to any such proposal, had it been brought forward by the Government of Ava itself at an earlier stage of the discussion, and previous to the assault on our Post and the slaughter of our Sepoys, the just indignation excited by that act of outrage, and the declarations and resolu-

tions it had necessarily induced, must utterly preclude any compromise of the above nature, even if not proffered in the tone of insolent menace which the Raja of Arracan had invariably assumed. We therefore pointed out distinctly to Mr. Robertson, that no overtures involving the relinquishment of our absolute and unqualified right to Shapuree, must for a moment be entertained, and we desired that if the Burmese Deputies should again urge the peremptory orders of their Government to prevent the British Authorities from keeping a guard on the Island, he would at once meet the argument, by stating the no less positive orders of the British Government to maintain the fullest right of possession, and to inflict instant and signal chastisement on those who might attempt to cross the Nââf, for the purpose of disturbing that possession.

In conclusion, we informed Mr. Robertson, that, considering the altered tone of the Burmese, since the arrival of the late orders, which they professed to have received from the King of Ava, and more especially adverting to an affair between our Troops and a Burman Force on the Sylhet frontier, of which we had just then received accounts, we were of opinion, that any attempt to define the South Eastern Boundary could no longer be carried on with a hope of success, or even with safety to himself and Captain Cheape, and we desired him therefore to desist from the prosecution of that part of his original Instructions.

On the 22nd January, the Acting Magistrate of Chittagong reported to us, that he had just learned the arrival in Arracan of four Ministers of rank from the Court of Ava, who had been deputed to the Province to enquire into the real state of the dispute with the English, and, as it afterwards appeared, to supersede the functions of the Local Authorities. This intelligence was speedily followed by the report of a fresh act of outrage and treacherous violence, committed by the directions and under the immediate orders of these confidential Agents of the Court, the particulars of which, as exhibited by the log-book of the Honourable Company's armed Vessel *Sophia*, and the reports of the Darogha of Tek Nââf, are as follows:

It appears that the Burmese Commanders immediately on their arrival at Mungdoo (the Post opposite the British Thanah of Tek Nââf) finding the Island of Shapuree had been evacuated, crossed the river in four large boats, full of armed men, with some pomp and display, and landed at Shapuree, notwithstanding the solemn warning which had been given against any such encroachment. On their retiring it was found that they had set fire to a hut, the only tangible object on the Island, as the redoubt had been razed when our detachment was removed.

About the same time an Interpreter waited on the Darogha at Tek Nââf, to announce the arrival of the above-mentioned Wuzeers, or Ministers, from the Court of Ammerapoora, and to invite the Officers of

the Troops and those of the Vessels, to wait on them at Mungdoo. With the former this insidious invitation had no effect, but some of the latter unfortunately fell into the snare, and by their deplorable imprudence, afforded to the Burmese an opportunity of perpetrating an act of insult and treacherous violence, which it is impossible for this Government to overlook or tolerate with impunity.

It should be observed, that on the removal of the detachment from Shapuree, the Honourable Company's Vessel *Sophia*, one of the Pilot Schooners, armed for the occasion, was ordered to take up a position with the gun-boats more immediately off the North-East point of the Island, to serve in some degree as a substitute for the presence of the Troops.

On the 20th January, a boat, full of armed Burmese, pulled alongside of the *Sophia*, and asked a number of suspicious questions regarding the force and equipment of the Vessel, and the object of her remaining in the Nááf. The same afternoon a second boat came off from Mungdoo with an invitation to Mr. Chew, the Commander, to call on the following morning at that Post: Mr. Chew was absent at the time, but on returning to the Vessel he determined on accepting the invitation, with what motive cannot be conjectured, as the season for amicable communication and intercourse had obviously passed away, in consequence of the altered tone and language of the Burmese, occasioned by the arrival of Commissioners with fresh orders and powers from the Court. So fully sensible, indeed, was Mr. Chew of the hazard attending the step, that on proceeding to the Burmese shore the next morning, he left particular instructions, that in the event of his not returning by a certain hour, a gun-boat should be sent to demand his person and those of his companions. The Commander of the *Sophia* was accompanied in this ill-timed and inconsiderate visit by Mr. Ross, a young man who commanded the row-boats, and a boat's crew of eight lascars. The particulars of what passed after their reaching Mungdoo are not known, but at eight o'clock in the morning of the 21st January, Alee Chand, ferryman, saw these unfortunate persons surrounded by a large party of Burmese, and carried off to Lowadhung in the interior. The witness was himself seized and confined for a time at Mungdoo, and saw the Wuzeers go off with their prisoners to the interior. Subsequent accounts have fully established the fact that this treacherous seizure and imprisonment of two Officers and a part of the Crew of the Honourable Company's Vessel in the Nááf, was accomplished by the order and under the immediate directions of the Commissioners deputed express from the Court of Ava to settle affairs on the frontier, and who, it must of course be presumed, are well acquainted with the temper and designs of their Sovereign.

An humane consideration for the safety of the Gentlemen who

had thus fallen into the hands of the most barbarous and sanguinary of all Eastern Nations, very properly induced Mr. Robertson to try at first the effects of persuasive and conciliatory language in accomplishing their release, and a Letter was accordingly addressed by him to the Rajah of Arracan on the subject.

On the 23d of January Mr. Robertson communicated a Report from the Darogha of Tek Nááf, that the occurrence described in the preceding paragraph, had created the greatest terror and alarm in the Southern part of the Chittagong District, and that the inhabitants were preparing to fly with their cattle and property.

In reply to the Despatches of the Acting Magistrate of Chittagong, as above, we expressed the strong sentiments of concern and mortification with which we had learnt the act of treachery and outrage therein reported on the part of the Burmese. We observed, that the deputation of Commissioners by The King of Ava (who it should be observed must have been despatched after the arrival of our Declaration at the Capital) might have afforded a hope, that after inspecting the mere position of the disputed Island, they would have become satisfied of the justice of the British title, and the unfounded nature of the pretensions set up by the Rajah of Arracan, and that thus the result of their Mission would have been conducive to the preservation of friendly relations between the two States. Unhappily, however, their very first act had destroyed all hope of such a result, and could be regarded only as affording irresistible evidence of the hostile spirit pervading the Councils of the Government of Ava, and the absence of any disposition on the part of the Burman Monarch to afford us reparation for the former outrage.

Whilst unwilling to relinquish altogether the hope that the representation addressed by the Acting Magistrate to the Rajah of Arracan, would produce the release of Mr. Chew and his Companions, and entertaining a sincere disposition to make every reasonable degree of allowance for the barbarous character and notions of the Burmese, and their singular ignorance of the strength of the Power whose vengeance they had thus dared a second time to provoke, we stated, that we considered it indispensably necessary to declare our sentiments and determination as to the line of conduct which must be adopted, under the supposition of our Officers, detained as prisoners by the Burman Government, not being speedily released.

We instructed the Acting Magistrate, therefore, that in the event supposed, he would, on the receipt of our instructions, address one more letter to the Rajah of Arracan, in the strongest language of remonstrance, peremptorily calling upon that Chief, and the Wuzeers from Ava, in the name of the Governor-General in Council, to deliver up the Officers and men whom they had detained, within a certain period (to be fixed by himself) under pain of the severest vengeance



of the British power. We directed it to be distinctly avowed, that as the act of treachery and violence complained of, had been committed under the orders of the Commissioners deputed from the Court itself, it must be considered, as emanating from the King of Ava's authority, and, unless instantly remedied, the relations of Peace between the two Governments, already so seriously disturbed by past proceedings, would be held to be dissolved, and War to have actually commenced. The Magistrate was of course instructed to make known to us his proceedings, and the results of them, under the above Orders, by express.

On the 27th ultimo, the Political Agent on the Chittagong Frontier reported to us, that the Burmese were certainly assembling their Forces in unusual numbers at Mungdoo, Lowadhung, and Arracan, and that it was currently believed that a large reserve, rumoured at twelve thousand men, had been collected at a Place inland, called Dalak. Mr. Robertson observed on this occasion, that there could exist no longer any doubt that the Burmese, whatever their ultimate intentions might be, were making preparations for warlike operations, and that he was disposed to think the designs of the Court of Ava to be of a hostile nature, though it seemed probable that the Rajahs and subordinate Authorities in the Arracan Province were well disposed to promote an amicable and pacific adjustment.

On the 31st ultimo, Mr. Robertson forwarded translations of two Letters to his address from the Rajah of Arracan, distinctly avowing that Messrs. Chew and Ross were seized by the orders of the General of the Sultan of Ava, *because their Vessel was anchored off the Island of Shapuree*, and promising at the same time to treat them well. Mr. Robertson, stated however, that a perusal of those Documents had considerably diminished his hopes of the eventual release of those Gentlemen and their Companions.

In communicating our Instructions to Mr. Robertson, founded on a consideration of the above Despatches, we signified to that Gentleman our resolution, that even should the demand for the release of Mr. Chew and his Companions be complied with, within the specified time, there would still remain two considerations to be required of the Burmese, compliance with which could alone induce the British Government to abstain from the just measures of retaliation, which we had provisionally authorized him to adopt. The first was, ample apology and reparation for the insult offered to this Government, by the treacherous seizure and temporary detention of the Honourable Company's Officers; and the second, a Declaration in writing, that the Burmese abandon all pretension to the Island of Shapuree, and engage to withdraw the Troops they have assembled at Lowadhung and Mungdoo, and to reduce the Detachments at those Posts to their usual strength. We observed on this occasion, that the hostile and insulting conduct of the Burmese Officers, in attacking and slaughtering our Guard at Shapuree,

which the Government of Ava had failed to disavow, and had thereby acknowledged as its own act, after ample space had been allowed for explanation, might justly be considered to have already placed the two Countries in a state of War, and to warrant the adoption, on our part, of instant measures of retaliation, without further notice.

On the 1st instant, we received a further Report from the Acting Magistrate of Chittagong. In this Letter Mr. Robertson observed, with reference to some remarks contained in our former Instructions, that had it not been for the unexpected arrival of the General and his two Colleagues from the Capital, and their subsequent conduct, he should still have had hopes of averting hostilities, and that his endeavours had been frustrated by circumstances such as no one could possibly, at the moment, foresee. It must be evident to us, he observed, that the approach of the Personage styled the General, and the ascertained fact of a Force having been collected with the avowed purpose of commencing hostilities, if their terms, (viz. the surrender of Shapuree,) are not complied with, renders the dispute on the Chittagong Frontier no longer a mere provincial discussion. Whether or not they will attempt what they threaten depends, he added, upon the degree of resolution which the Burmese may be supposed to possess; for, of the inclinations of their present Leaders there could no longer be a doubt. Mr. Robertson farther remarked, that, considering the state of affairs in Cachar, and the conduct of the Burmese on the Nââf, the British Government must be regarded as virtually at War with the Empire of Ava, and that every allowable measure of hostility might therefore justly be resorted to.

On the 8th and 9th instant, Mr. Robertson reported to us the steps which he had taken in pursuance of our Instructions of the 31st ultimo, for procuring the release of Mr. Chew and his Companions, and apprized us that he had peremptorily called upon the Rajah of Arracan and the Wuzeers to set them at liberty within ten days, under pain of the consequences. Accounts had, in the interval, been received from Mr. Chew himself, evincing a spirit unbroken by the calamitous situation in which he had placed himself and his Companions, and stating that he had latterly been treated with humanity and even kindness. Mr. Robertson however remarks, "It is with deeper regret than I can express that I resign the hopes I have hitherto entertained of Mr. Chew's release. The high spirit evinced in his letters, and the elasticity of mind with which, under circumstances so depressing, he still keeps his attention directed to his professional pursuits, will, I am sure, excite the admiration of his Lordship in Council for the character of the individual, whilst it must deepen his regret at the calamity that has befallen him. Did it rest with the Rajah (of Arracan) to release or detain the two Gentlemen, I should still hope for their return, but it is now evident that the local authority of that Officer is, for a time, super-

seded by that of the Person styled the General, whose unexpected approach towards the Frontier has so materially altered the aspect of Affairs in this quarter."

The Acting Magistrate's Letter of the 8th instant, describes a farther aggression on the part of the Burmese, which, however trifling and contemptible in itself, viz. the hoisting of the Royal Standard of the Burman Empire on the Island of Shapuree, evinces clearly the spirit by which their present proceedings are actuated, and their obstinate determination to persevere in the prosecution of a Claim which we consider, and have declared to be a downright encroachment on the British Territory, and which must necessarily be checked, resisted, and eventually punished, if we would wish to shield ourselves from worse insults and outrages hereafter on the part of these barbarians.

On the 14th and 15th January, we received Expresses from Mr. Turquand, the Acting Magistrate of Sylhet, reporting that two Burmese Armies, supposed to be of considerable strength, had invaded Cachar, the one from Assam, and the other from the Dominions of Ava, via Munnipore. The Officers who commanded the Detachments which had previously been advanced to Budderpore, on the Eastern Frontier of Sylhet, as a measure of precaution, having applied to Mr. Turquand for instructions to guide their conduct in this emergency, that Gentleman transmitted a Letter, to be forwarded to the address of the General of the Burman Army, warning him to retire from the protected Territory of Cachar, and at the same time requested the Commanding Officer to take such measures as he might judge advisable for restraining the Invasion, should the Burmese persist in introducing a Foreign Force into that Country.

The Acting Magistrate of Sylhet, also informed us, that as rumours prevailed that Govind Chunder, the Ex-Rajah of Cachar, had invited the Burman Troops into the Country, and that Vakeels on his part were actually in their Camp, he had deemed it expedient to send for that Chief to Sylhet, and to place him under honourable arrest until the Orders of Government could be received.

In reply to the above Despatches, we stated to the Governor-General's Agent our hope that the Communications already addressed by himself and the Acting Magistrate of Sylhet, combined with the advance of our Troops to the Frontier, for the purpose of enforcing the declared intention of the British Government to protect Cachar from Invasion, would not fail to induce the Generals of The King of Ava to halt or retrace their steps. Should it be urged by them that they were acting under orders, received from the Court of Ummerapoora, to re-instate Govind Chunder in the possession of Cachar, we desired Mr. Scott to apprise them, that the British Government was itself disposed to favour the claims of that Chief, but that, adverting to the doubtful nature of the relations existing at present between the two



States, and to the declaration of the Burmese Chiefs in Arracan, that on the re-occupation of Shapuree, the Forces of The King of Ava would invade the British Territory along the whole line of the Eastern Frontier, the Governor-General in Council could not, under any circumstances, permit them to establish themselves in the Cachar Country, and thus acquire a position, the command of which would so greatly facilitate the execution of that threat. We therefore authorized Mr. Scott, in the event of either of the Burman parties evincing a determination to maintain their ground in Cachar, after receiving the above warning, to take immediate measures for expelling them by force of arms. The contents of a Communication made by the Rajah of Jyntiah to the Acting Magistrate of Sylhet, on the subject of the apprehended Burmese Invasion, having suggested to us the expediency of including that petty State or Chiefship, specifically, in our general system of defensive arrangements for the Frontier, we instructed Mr. Scott to take advantage of the opening which that Communication afforded for requiring the Rajah to enter into engagements similar to those proposed for Cachar.

On the 30th of January we learnt that an affair\* had actually taken place between our party of observation on the Sylhet Frontier, commanded by Major Newton, and one of the bodies of Invaders coming from Assam. Disregarding the intimation which they had received, of the determination of the British Government to resist the occupation of Cachar by the Forces of a Foreign Power, and anxious only to effect their object of concentrating a large Force on our immediate Frontier, the parties from the Northward and Eastward hurried on, in avowed defiance of our repeated remonstrances and warnings, to the point where the Generals proposed to unite their Forces. On the 16th, Major Newton finding that a body of about four thousand Burmese and Assamese had crossed into the Plains of Cachar, at the foot of the Berteaker Pass, and were stockading themselves at Bickrampore; also that the Force to the Eastward had defeated the Munnipore Chief, Rajah Gumbur Singh's, Troops, and that a third division was crossing into Jyntia, immediately North of the Station of Sylhet, he resolved, under circumstances so threatening to his Force, to concentrate his Detachment at Juttrapor, a Cachar village about five miles beyond the Boundary of the Sylhet District, and move from thence due Northward against the invading Party from Assam, before they could have time to strengthen their position. The Burmese position was discovered early in the morning of the 17th January, and hostilities commenced by the discharge of two shots from their Stockade at the British advanced guard. An attack was then made by the British Force, under Major Newton, in two divisions, which was completely successful, though a party of Burmahs

\* See London Gazette of 25th November, 1824, page 1954.



in the stockade, variously estimated at from two to five hundred, made a brave resistance, and were not overpowered without the loss of six of our Sepoys killed, and eighteen wounded ; about one hundred and seventy-five of the Burmah Force were destroyed, the remainder fled towards the hills.

Your Honourable Committee is apprized that immediately on learning that the Burmese had equipped or meditated an expedition into Cachar, the Governor-General's Agent, Mr. Scott, had addressed two or three Letters to the Governor of Assam, requiring him to desist from that project, and making known to him the connection of the British Government with the Territory in question.

The Rajah's Answer was not received at Gowalparah until the 15th of January, two days previous to the affair at Bikrampore, when Mr. Scott was on his way to Sylhet, and we have now to call the attention of your Honourable Committee to a Despatch from Captain Davidson, forwarding the Letter in question. This Document, with the subsequent Communications of the Burman Chiefs, we consider to be of material importance, and so far satisfactory, as evincing clearly that whether we had resolved to protect Cachar or not, we must necessarily have been involved in the most serious differences with the Burmese, by the advance of their Troops to the threatening position which they now occupy on our immediate Frontier, the danger to which our Districts of Sylhet and Tipperah are thence exposed, and the actual menaces which they have presumed to hold forth of War and Invasion. The Rajah of Assam's Reply, it will be remarked, does not call in question the right of the British Government to form what connection it might please with the petty State of Cachar, nor does it assert any title or intention on the part of The King of Ava to interfere in the settlement of its affairs ; it declares merely that His Burmese Majesty having resolved to seize the three Munniporian brothers as the authors of repeated disturbances, issued His Royal Orders that they should be pursued and apprehended wherever they might be found, and that Armies had been assembled at Gowahati and Munnipore to carry that mandate into effect. The Letter adds also that the Burman Chiefs were not to be intimidated from carrying their Sovereign's Order into execution by our attempts to prevent them.

Captain Davidson's Letter enclosed also a Translation of a Paper of Intelligence from Assam, which will, no doubt, attract the attention of the Honourable Committee. As it alluded to some intrigues, or attempts at intrigue, with the Nepaulese, for the purpose of creating a combination against the English Nation, we judged it proper to furnish a Copy to the Resident at Catmandhoo.

From Mr. Scott's Despatches, it appears that subsequent to the Affair at Bikrampore, Major Newton returned with the Force under

his command to the Sylhet Frontier Post of Budderpore, on the Soormah River, withdrawing the whole of our Troops from Cachar. The Burmese then advanced to Juttrapore, about five miles east of the Frontier and eight from Budderpore, and the two Armies from Assam and Munnipore formed a junction near the first-mentioned village and threw a bridge over the Soormah River, on both sides of which they erected stockades. The United Force is computed at 6000, of whom 4000 are Assamese and Cacharees; they have likewise a further Force stockaded at Kila Kandy, in the South East quarter of Cachar, estimated at 2000 strong. Mr. Scott having at length succeeded in opening a communication in writing with the Commanders of the Burmese Force, a Letter was received by him from one or both of those Chiefs on the 31st ultimo, which differs from the one above mentioned, in stating that the Troops of the King of Ava have entered Cachar under an invitation from Govind Chunder, both to reinstate that Rajah in his rightful Possessions, and to apprehend the three Munniporean brothers, Chorjeet, Marjeet, and Gumbhur Singh; orders which the Military Commanders declared themselves fully resolved to carry through. Their Letter concludes in the following tone of menace:—"Should Jorajeet, Marajeet, and Kambura Sing, and the Cassayers enter the English Territories, apprehend and deliver them to save any breach of friendship; so doing no rupture will take place and the commercial intercourse, now in existence, will continue. If the Cassayers enter the English Territories, and their surrender is refused, and if they receive protection, know that the Orders of the most fortunate Sovereign are, that, without reference to any Country, they must be pursued and apprehended." Your Honourable Committee will observe, that far from expressing any particular soreness or irritation in consequence of the Affair at Bikrampore, the occurrence, though noticed, and indeed dwelt upon, is alluded to as similar to what happened when their armies advanced upon the British Frontier from Assam during the middle of 1822; and in this light it has probably been represented to the Government of Ava, though it is perfectly well known that the Troops of the two States had never before come into actual collision.

In replying to their Letter, and in a previous communication, Mr. Scott very properly acquainted the Burmese Commander-in-Chief that he had already, in three different Letters, informed him by the way of Assam, that the Country of Cachar was under the protection of the British Government, and that the occupation of it would be resisted, and that while he regretted the occurrence at Bikrampore the Burman Chief could not but be sensible that it was entirely attributable to his own conduct in persevering in so unwarrantable an encroachment, after repeated intimation that it would not be permitted. He further called upon the Commander, now that he was convinced the British were in earnest, to evacuate the Country without delay, and thus prevent worse consequences, and explicitly

stated that, in the event of a refusal, he should be compelled, however unwilling, to order the advance of the British Troops, not only into Cachar itself, but into Assam, whence the principal part of the invading army had issued. In respect to Govind Chunder, Mr. Scott explained that we had no objection to his re-establishment under the protection, and as the act of the British Government, and that although we could not, with honour, deliver up the Munniporean Chiefs, much less suffer them to be arrested in our own Territory, we would willingly concur so far in the views of His Burman Majesty as to engage that they should not again be permitted to disturb the peace of Cachar.

In the Despatch now referred to, the Governor-General's Agent proceeded to observe, that although satisfied the Burman Commander had no immediate intention of committing hostilities in the British Territories, yet he had little expectation of his being induced to retire from Cachar without recourse being had to coercive measures. Having also just heard of the hostile conduct of the Burmese on the Nááf, in the seizure of Mr. Chew, Mr. Scott considered it highly probable that the Court of Ava would avail itself of the presence of its army in Cachar to annoy us, which he conceived it might do to a very great extent by merely plundering the Country in small parties without even risking an engagement.

On the 3d instant, Mr. Scott reported to us that an Interpreter dispatched by him to the Burman Camp at Juttrapore had returned, and stated that the Commander of the Forces there, in reply to his demand for an answer to various Letters addressed to him by the Governor-General's Agent, declared that he would give none until he received instructions from Ammerapoorá, to which place he had dispatched messengers.

The Interpreter stated farther that the Commander had behaved to him in a very outrageous manner, sometimes threatening in a violent manner to cut off his head, and sometimes declaring that he would satisfy his resentment by marching to England.

The above Dispatch contained Copies of Mr. Scott's several Letters to the address of the Burman Chiefs at Juttrapore. In that dated 2d instant, the Agent to the Governor-General, with reference to the reported designs of the Burmahs against Jyntia, stated as follows:—"Now I hear that you intend to enter the Jyntia Country, and that you have sent people to the Rajah; therefore I acquaint you that we will not permit the execution of this fresh act of aggression. First, because the Rajah's Ancestor received that Country as a gift after conquest from the Honourable Company, and he himself has sought our protection. Second, because, as you threaten war, we cannot permit you to occupy that or any other favourable position for commencing hostilities. Having understood this, you will do well

to return speedily by the road by which you came, otherwise, you may lose the Country of Assam whence you proceeded."

On the 4th instant, Mr. Scott received from the Rajah of Jyntia through the Acting Magistrate of Sylhet, a Letter, in the Burmese character, addressed to that Chief by the Burman Generals. This Paper declares Jyntia to be one of the Provinces of Assam, calls upon the Rajah and his Ministers, wherever they may be, to bow submission and send offerings, and invites him to come to the place where the Burmese Forces were assembled, for the purpose of affording explanation.

Since the above date, we have reflected deliberately and maturely on the insecure and exposed state of our whole Eastern Frontier at the present critical juncture; the evident policy, if not the urgent necessity, of measures being at once adopted for expelling the Burmese from the threatening Positions which they now occupy in Cachar and Assam, whilst the season yet admits of an effort being made; the extinction of all hope of an amicable and honourable adjustment of our differences, by Correspondence or Negotiation with the haughty and barbarous Government of Ava; and the discredit and manifold evils attending a protracted state of passiveness and inactivity on our part, whilst our Adversaries are constantly offering fresh insults, and are gathering strength and courage for some yet more daring attack on our Possessions. The result of our deliberations has been a conviction, that whilst we are fully authorised in considering War as actually commenced, by the hostile and injurious proceedings of the Burmese Government, there is in reality no course left for us, compatible with our honour and safety, but to issue immediate directions for prosecuting such a system, both of offensive and defensive arrangements, as is indispensable for the security of our Eastern districts of Bengal. We entertain a confident hope that this important object may yet be provided for, and, at the same time, a salutary impression made on the Enemy before the setting in of the periodical rains.

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*No. 4.—DECLARATION on the part of The Right Honourable  
The Governor-General in Council.*

*Fort William, February 24, 1824.*

DURING a long course of years, the relations of Peace and Friendship have been established between the Honourable East India Company and the State of Ava, by public engagements, and by the mutually beneficial intercourse of trade and commerce. The Supreme Government of India, scrupulously adhering to the obligations of public faith, and cordially solicitous to cultivate a good understanding with all surrounding States, has never ceased to manifest, in a special degree, its desire to cement and improve the relations of amity subsisting with the Court of Ava. It is notorious, however, that, notwith-



standing the uniformly pacific and conciliatory demeanour of the British Government, the Burmese Court has in repeated instances committed or sanctioned acts of provocation and aggression, which have more than once placed the two Countries on the brink of hostilities, and the natural consequences of which have been averted only by the moderation and forbearance of the British power, conscious of its superior strength and resources, and naturally disposed to make the largest allowances for the peculiar character of the people and Government of Ava.

Of late the Burman Monarch, emboldened by a career of successful encroachments against the petty States intervening between the two Empires, and more especially elated by the conquest of Assam, has dared to offer injury to the British Power; under circumstances of studied insult, menace, and defiance, such as no Government, alive to a sense of honour, and duly mindful of its safety and best interests, can suffer to pass unrevengeed.

In the prosecution of a singularly wanton and unfounded claim to the Island of Shapuree, situated on the Southern extremity of the Chittagong district, the Burman Chief, styled the Rajah of Arracan, addressed a Letter to the Governor-General, in August last, demanding, under the implied alternative of a rupture with the State of Ava, the removal of a small guard, which had been stationed on that Island, as an arrangement purely of police. No time was lost in replying to this Letter, by a temperate exposition of the undeniable title of the British Government to the Place, as established no less by its position on the British side of the main channel of the Nááf, than by the indisputable evidence of the public records. The Governor-General on the same occasion expressed his persuasion, that the tone assumed in the Rajah's Letter, had been adopted without due reflection, and that neither that nor the abrupt and unwarrantable demand for the evacuation of Shapuree, could have been authorized by the Government of Ava; an offer was farther made, should the arguments contained in the Letter fail to satisfy the Rajah's mind, as to the justice of our title, to depute an Officer, during the approaching cold season, to afford additional explanation on the spot, and to adjust all disputed boundary questions appertaining to the Chittagong frontier, in concert with the Commissioners from Arracan. Some of the subordinate Arracanese Authorities, having previously declared in writing to the Local Officers of the Chittagong district, that the British guard, if not speedily withdrawn from the Island of Shapuree would be attacked and forcibly expelled, they were in reply distinctly warned, under orders from the Governor-General in Council, that any such violent and unwarrantable procedure must be resented by the British Government as an act of positive hostility, and be punished accordingly.

The language of the Burmahs, in their official communications with the British Officers, had been ever of a singularly boastful, assuming, and even insolent strain, and adverting to this habitual extravagance of tone, and to the fact that the Government of Ava itself had never raised a claim, nor addressed any representation to the Supreme Government on the subject of this paltry object of contention, it was not imagined that the Arracanese Rulers seriously meditated the execution of their insolent and outrageous threat.

It was, therefore, with equal astonishment and indignation that the Governor-General in Council learnt, early in October last, that the Burmese Chiefs of Arracan, called the four Rajahs, after suddenly assembling an unusual force at their frontier posts on the Nââf, had, under cover of the night, deliberately attacked our guard on the Island, consisting of a Jemadar and twelve privates of the Chittagong provincial battalion, whom they forced to retire, after killing or wounding six of our men. The Rajahs, at the same time sedulously promulgated, both verbally and in writing, that they had acted under the authority of a mandate from the Sultan of Ava, and that any attempt of the British Government to recover possession of what that Government had solemnly declared to be its unquestionable right, would be followed by an invasion of the Eastern districts of Bengal, for which purpose the Forces of the Burman Empire were advancing to the frontier. In a Letter also addressed shortly afterwards by the Rajah of Arracan to the Governor-General, that Chief had the unparalleled audacity to declare, that the party on the Island of Shapuree had been destroyed, in pursuance of the commands of the Great Lord of the Seas and Earth; that if the British Government wanted tranquillity, it would allow the matter to pass; but if it should rebuild a stockade on the Island, the cities of Dacca and Moreshedabad, which originally belonged to the great Arracan Rajah, would be taken from it by force of arms.

No comments can be needed to illustrate the character of proceedings thus pushed to the extreme of insult and defiance, by a People who, notwithstanding their barbarous character and extravagant pride, are by no means ignorant of the principles and observances which ordinarily regulate the intercourse between Independent States, and who, as their whole conduct and language have shewn, can feel keenly enough in their own case any supposed infraction of National rights or honour. If any additional circumstance were wanting to demonstrate, to the conviction of the whole World, the utterly wanton, as well as gross nature of the injury thus offered to a friendly Power, in a time of profound peace, and when no question or discussion had arisen between the two Governments, it will be found in the fact, that recently these very Officers have professed their perfect willingness, that Shapuree should be considered neutral ground, thus acknowledg-

ing the dubious nature of the Burman title, and insidiously tendering a proposition at this late period of the season, which, if advanced in proper language by their Government, on the first commencement of the discussion, would probably have been assented to by the British Authorities, as an admissible compromise, where, notwithstanding the clearness, of our right, the object in dispute was so utterly worthless and unimportant.

The first impulse of the British Government, on learning the outrage at Shapuree, was naturally to take into its own hands the instant chastisement of its authors, by fitting out an expedition to attack any assailable Points in Arracan; but various considerations induced the Governor-General, subsequently, to pause, in the adoption of this course.

On further reflection it appeared possible that the King of Ava might have been misled by false and interested reports, or that the name of their Sovereign might have been used without authority by the Rajahs of Arracan and Ramree, whose intemperate and even insolent language had on former occasions excited the serious displeasure of the British Government. It was deemed at all events a step worthy the magnanimity of a powerful Nation, and consistent with our uniform policy towards the State of Ava, to afford to the Burman Monarch an opportunity of disavowing and making atonement, for what we were willing to consider, in the first instance, as the unauthorized act of a subordinate Authority.

Under this view a Letter was addressed to the Ministers of the King of Ava, in the form of a Declaration on the part of the Governor-General, explaining in decided but moderate language, the sentiments to which the occurrence at Shapuree had given rise on our part, demanding reparation for that outrage, by the disgrace and punishment of its immediate authors, and solemnly warning the Burman Government of the consequences which must inevitably attend a refusal to comply with this just demand, and to repress in future the insolence and hostility of tone which its local Officers had invariably assumed at every point where they had come in contact with the British power, whether in Chittagong or Assam. Copies of this Letter were forwarded to the Capital of Amerapoor, by two separate Channels, about the middle of November last.

Conformably with the intention avowed in the Letter to the Court of Ava, the Governor-General in Council at the same time dispatched reinforcements to Chittagong, in order to ensure the safety and restore the tranquillity of that District, which had been so seriously disturbed by the conduct of the Burmese, and likewise to overpower any opposition that might be made to the re-occupation of the Island of Shapuree. On the arrival of the Force in the Náâf River, the limited objects with which it had been deputed, and the pacific intentions of the British Go-

vernment, pending the reference to the Court of Ava, were distinctly explained to the Arracanese Authorities, both by the Magistrate of the District, and the Officer commanding the Troops; and so perfectly disposed were the Burmese to credit our assurances, that an intercourse was speedily re-established between the Officers and Functionaries of both States, on the most friendly and confident footing.

For a time hopes were entertained that the differences with the Burmese might be amicably adjusted on terms consistent with the national honour; that the Burman Government would consent to the definition of such a Boundary between the two Countries as would obviate the future occurrence of disputes and misunderstanding on the South East frontier.

About the middle of January this pacific aspect of affairs was suddenly changed, and all friendly intercourse suspended, by the arrival of a military Officer of the highest rank, at the head of large reinforcements, accompanied by two Commissioners from the Capital, vested with extensive powers, and bringing positive orders to dislodge the English, at whatever hazard, from the Island of Shapuree. The purport of these orders was ostentatiously proclaimed with a distinct intimation that any attempt on our part to interrupt their execution, would be considered tantamount to a Declaration of War between the States. The first act of the Commissioners was to cross over in state to the disputed Island, obviously for the purpose of recovering a nominal possession, the British detachment having been previously withdrawn in consequence of the unhealthiness of the spot. The following day they succeeded in decoying to the shore two Officers of the Honourable Company's armed Vessels in the Nââf, whom with their boats'-crew they treacherously seized, in defiance of the laws of good faith and hospitality, and imprisoned, and detained for nearly a month, expressly on the ground of their having anchored their Ship off the Island of Shapuree. Shortly afterwards the Standard of the Burman Empire was hoisted by stealth during the night on the disputed ground, an act which, however contemptible in itself, must necessarily be regarded as a further pledge of the obstinate determination of the Burman Government to carry its point even at the known hazard of involving the two Nations in war.

During all this period the King of Ava has maintained a haughty and contemptuous silence, on the subject of the remonstrance addressed to the Burmese Court, more than three months back. The above Document must have reached the Capital some time previous to the Deputation of the Commissioners, and the Governor-General in Council is hence compelled to interpret the acts and declarations of these Ministers as the only answer which the Government of Ava deigns to return.

Whilst the British Territories on the Southern Frontier have been



thus actually violated, under circumstances of peculiar and aggravated insult, the language and proceedings of the Burmese on the North East Frontier of Bengal have evinced more extensive and mischievous designs of aggression, and leave no rational ground to doubt that the King of Ava has deliberately resolved to pursue the schemes avowed by his Officers, in contempt of the rights and dignity, and in open defiance of the British Government.

For many years past, the parties dividing authority and struggling for ascendancy in the Raj of Cachar, had incessantly applied to the British Government, soliciting it to interfere, as the paramount State, to settle the affairs of that Country; its internal dissensions had frequently disturbed the tranquillity of the adjoining District of Sylhet, and the Governor-General in Council having satisfied himself that Cachar was independent of the Burmese, and that the measure could afford no just ground of umbrage to that Government, adopted a resolution, on the 19th June last, to take the Country avowedly under protection, on the usual conditions of political dependence. Whilst arrangements and negotiations were in train for defining the terms of our connection with the Chief, whom it was determined to reinstate in possession, and who was then residing under British protection within the Honourable Company's Territory, intelligence arrived from Assam, that the Burmese were preparing an army to invade and conquer Cachar. The Governor-General's Agent on the North East Frontier, lost no time in addressing Letters to the Burman Governor of Assam, briefly apprizing him of the nature of our views and measures in regard to the Raj of Cachar, and calling upon him to desist from any project of molesting that Country. The outrage of Shapuree having in the interval occurred, the Agent subsequently warned the Burman Authorities, under the express instructions of Government, that their occupation of Cachar would not be permitted, as, independently of the resolution recently taken by the British Government to protect that Territory, it could not, without a culpable dereliction of duty and disregard of the plainest maxims of prudence, allow the Burmese to advance unopposed to a Position, the command of which would so greatly facilitate the execution of the threat of invasion repeatedly pronounced by their Countrymen in other quarters. The only answer returned to these Communications was, that orders had arrived from the King of Ava, to follow up and apprehend certain Munniporian Chiefs, (peaceably residing within the British Territory), wherever they might be found; that these orders would be executed without any respect to Territory or jurisdiction, and that the Burmahs were not to be hindered from carrying into effect the mandates of their Sovereign by any opposition which the British Authorities might offer.

It soon appeared that an army had been assembled in the Burman Dependency of Munnipore, as well as in Assam, for the execution of the fresh purpose of aggression now distinctly threatened.

On the advance of the Invading Force from the Eastward, the Acting Magistrate of Sylhet, addressed Letters of remonstrance, under the orders of Government, to the Military Chiefs in command, of a purport and tendency similar to those which had been previously transmitted to the Commander of the Forces in Assam.

Totally disregarding, however, the intimation thus explicitly given by the British Government, of its determination to resist their occupation of Cachar, on grounds, the justice of which cannot be questioned, and anxious only to effect their object of concentrating a large army on the immediate Frontier of the Company's Possessions, the Parties from the Northward and Eastward hurried on by forced marches, in avowed defiance of our remonstrances, and effected a junction at Juttrapore, only five miles from the frontier of Sylhet, where they entrenched themselves in extensive and formidable stockades. Happily a party of observation had been advanced to the frontier on the first intelligence of the near approach of the forces of the King of Ava, of sufficient strength to keep them in check, and prevent any actual violation of the British Territory in that quarter, but the injury already sustained by their advance has been serious, no less to the suffering Country of Cachar, than to the District of Sylhet, throughout which a general alarm has been spread, causing many of our Ryots to abandon their homes, and materially impeding the collection of the public revenues.

The conduct and declaration of the Burman Commanders on the Sylhet Frontier have unequivocally disclosed, if indeed any further proofs were wanting, the ambitious designs and unsufferable arrogance of the Court of Ava.

After long detaining and grossly insulting the Vakeel and successive messengers deputed to their camp by the Governor-General's Agent, they notified in a Letter to Mr. Scott, that they had entered the Country of Cachar to restore the Rajah, and to follow up and seize the Munniporian Chiefs wherever they might be found, knowing well at the time that the whole of those Chiefs had obtained an asylum within the British Provinces. "Should," they observed, "Chorjeet, Marjeet and Gumbeer Singh, and the Cassayers enter the English Territories, apprehend and deliver them to save any breach of friendship, so doing, no rupture will take place and the commercial intercourse now in existence will continue; if the Cassayers enter the English Territories and their surrender is refused, and if they receive protection, know that the orders of The Most Fortunate Sovereign, are, that without reference to any Country they must be pursued and apprehended."

Whilst occupying their threatening position in Cachar, the Generals of the King of Ava had moreover planned the conquest of Jyntia, another petty Chiefship, situated similarly with Cachar in regard to the British Frontier, but which having formerly been restored, as a gift to the Rajah's family by the British Government, after a temporary

convulsion, was more distinctly recognized as a Dependency of Bengal. The Rajah of Jyntia, in a Letter addressed to him by the Burmese Commanders, was called upon to acknowledge submission and allegiance to the King of Ava, and to repair forthwith to the Burman camp, a demonstration was further actually made against Jyntia to enforce the above requisition, when the advance of the British Troops frustrated the execution of this hostile and menacing encroachment.

Two successive checks sustained by the armies of his Burmese Majesty on the Sylhet Frontier, at length induced their partial retreat from the threatening position which they had taken up in that quarter. One Party, however, still maintains its position in Cachar, and the retirement of the Assamese force which had taken post more immediately on the British Frontier, has been made under circumstances indicating no retraction of the ambitious designs of the Government. The Officers and Men also of the Honourable Company's armed Vessel *Sophia* have been released, but no kind of apology or explanation of their detention has been offered by the Chiefs who committed that outrage.

From the foregoing detail it will be evident, that in a season of profound peace, and wholly without provocation, the Court of Amnerrapura has grossly and wantonly violated the relations of friendship, so long established between the two States, and by the hostile conduct and language of its Officers, and the actual advance of its Forces to several and widely distant Points of our Frontier, has compelled the British Government to take up arms, not less in self defence than for the assertion of its rights and the vindication of its insulted dignity and honour. The scornful silence maintained by the Sovereign of Ava after the lapse of so many months, and the commission of renewed outrages and insults in that interval, obviously by his sanction and command, evince that all prospect of an honourable and satisfactory adjustment of our differences by correspondence or negotiation is at an end. At the same time the season for military operations is rapidly passing away, and it hence becomes indispensable, whilst an effort may yet be made, to adopt measures without delay for repelling the dangers which menace the Eastern Districts, and for placing the safety of our Frontier beyond the reach of the caprice and violence of the Burman Monarch.

The Governor-General in Council has therefore ordered the advance of the Force assembled at Gowalpara, into the Territory of Assam, to dislodge the enemy from the commanding position which they occupy at the head of the Bramapooter; and is prepared to pursue such other measures of offensive warfare, as the honour, the interests, and the safety of the British Government demand recourse to at the present crisis.

<sup>11</sup> Anxious, however, to avert as far as practicable the calamities of



War, and retaining an unfeigned desire to avail itself of any proper opening which may arise for an accommodation of differences with the King of Ava, before hostilities shall have been pushed to an extreme length, the British Government will be ready even yet to listen to pacific overtures on the part of his Burmese Majesty, provided that they are accompanied with the tender of adequate apology, and involve the concession of such terms as are indispensable to the future security and tranquillity of the Eastern Frontier of Bengal.

By command of the Right Honourable the Governor-General in Council,

GEORGE SWINTON, Secretary to the Government.

*No. 5.—The Governor-General in Council to the Secret Committee of the Court of Directors of the East India Company.*

(Extract.)

*Fort William, March 24, 1824.*

WE now beg leave to submit, for the information of your Honourable Committee, Copy of Translation of a Letter from the Vice-Roy of Pegue, received by us on the 17th instant, being a reply to our Declaration on the subject of the outrage at Shapuree, dated 17th October last. In the tone and contents of that Letter, we persuade ourselves that your Honourable Committee will find ample confirmation of the views entertained by us relative to the justice and necessity of an appeal to arms for the settlement of the depending Differences.

*Enclosure (F. f.)—The Vice-Roy of Pegue to the Bengal Government. (Received 17th March, 1824.)*

From Beula Maha Menzoung, the Vice-Roy of Pegue, and of the Thirty-two Provinces of Hanzawoody, to the Bengal Government, representing the Company.

THE Letters brought by Webster's Ship were delivered, and on the petition being submitted to the Ministers of The Most Fortunate King of White Elephants, Lord of the Seas and Earth, &c. &c. they observed, that the English protect the Arracanese rebels, who have violated their oaths of allegiance, as well as Jora-jeit, Morajeit, the Cassayers and Natives of Eckaba, also Boora Counhay, Chunder Gunda Sing, and the Assamese people; and that Chittagong, Ramoo, and Bengal, form part of the Four great Cities of Arracan, but as they were worldly matters, they are not worth notice, on account of the commercial intercourse carried on by seafaring men.

Shein-maba is annexed to the Four great Cities, and because Sepoys were stationed there, the Governor of Arracan requested, in the first instance, that they might be withdrawn, and afterwards caused them to be expelled by Royal Authority.

The Governor of Arracan has represented, that three Ships and three Boats are stationed on the opposite side of the Nááf, and that a



stockade has been erected on the Island; also that his messenger, on arriving at Chittagong was confined there: if this be true, know, that the Governors on the Burman Frontier have full authority to act, and that until every thing is settled a communication need not be made to the golden feet.

The Rajahs and Generals of Arracan, Ramré, Cheduba, Mecca Woody, Bassein, and the Western Sea Coast, would, on hearing these occurrences, rise like giants; for this and for many other considerations Mengée Maha Bendoola has been appointed to regulate all the State affairs: he is vested with full military powers, and on all important occasions, he must be referred to viâ Arracan. This Appointment has been communicated to all the Authorities.

The Letter sent by the Governor-General states, that he has been newly appointed; he can, therefore, know nothing of the guilt of the Arracanese rebels, and he believes what they represent. Much rests with those in charge of chokies and such places: let him ascertain the truth, consider duly every thing, investigate and judge properly. and, by petition, represent his case to the General viâ Arracan.

*TREATY, concluded in 1817, between Governor Farquhar and Radama, King of Madagascar, for the final Abolition of the Slave Trade through the whole extent of Radama's Dominions; together with a Copy of the Additional Articles made to the Original Treaty, on its Renewal in October, 1820.\**

HIS Excellency Robert Townsend Farquhar, Esquire, Governor and Commander in Chief, Captain-General, Vice-Admiral of the Islands of Mauritius and its Dependencies, by his Commissioners, Captain Stanfell, of the Royal Navy, commanding His Majesty's Ship, Phaeton, and Thos. R. Pye, Esquire, Assistant Agent for His Excellency's Government at Madagascar, who are vested with Full Powers; and Radama, King of Madagascar and its Dependencies, by his Commissioners, Ratzilika, Rampoolé, Ramanow and Racihato, representing the said Radama, and with Full Powers from his Majesty.

Art. I. It is agreed by the Parties to these presents respectively, that the mutual confidence, friendship and brotherhood which are hereby acknowledged to subsist between the Contracting Parties, shall be maintained and perpetuated for ever.

II. It is agreed, and the two Contracting Parties hereby covenant and agree, that, from the date of this Treaty, there shall be an entire

\* Presented to the House of Commons by Command of His Majesty,  
25th April, 1825.

cessation and extinction through all the Dominions of King Radama, and wherever his influence can extend, of the sale or transfer of Slaves, or other Persons whatever, to be removed from off the soil of Madagascar, into any Country, Island or Dominion of any other Prince, Potentate or Power whatever ; and that Radama, King of Madagascar, will make a Proclamation and a Law, prohibiting all his subjects, or persons depending on him or his Dominions, to sell any Slave to be transported from Madagascar, or to aid or abet, or assist in such sale, under penalty that any person so offending shall be reduced to slavery himself.

III. And in consideration of this concession on the part of Radama, King of Madagascar, and his Nation, and in full satisfaction of the same, and for the loss of revenue thereby incurred by Radama, King of Madagascar, the Commissioners on the part of His Excellency the Governor of Mauritius, do engage to pay to Radama, yearly, the following articles ; viz. 1,000 Dollars in Gold; 1,000 ditto in Silver; 100 Barrels of Gunpowder (100 lbs. each;) 100 English Muskets and accoutrements complete; 10,000 Flints; 400 Soldiers' Caps; 400 Stocks; 400 Red Jackets; 400 Shirts; 400 Pair Trowsers; 400 Pair Shoes; 12 Serjeant's regulation Swords and Belts; 400 Pieces of white and 200 ditto of blue Cloth, (India.) One full dress cloth coat, with two epaulets, cocked hat, and dress boots for the King; Two horses ; upon a Certificate being received, that the said Laws and Proclamations have been enforced the preceding year ; which Certificates shall be signed by Radama, and countersigned by the Agent of His Excellency Governor Farquhar, Resident at the Court of Radama.

IV. And further, it is agreed by the Contracting Parties mutually to protect the faithful friend and ally of England, the King of Johanna, from the predatory attacks to which he has been for many years annually exposed from some of the smaller States of the Sea Coast of Madagascar ; and to use every means in their power, by their subjects, allies and dependents, to put a final end to this system of piracy ; and for this purpose, Proclamations shall be made by Radama and the Governor of Mauritius, prohibiting all persons whatever from engaging in this piracy ; and these Proclamations shall be particularly distributed in all the Ports on the Sea Coast of Madagascar.

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#### ADDITIONAL ARTICLE.

The Contracting Parties agree in considering this Treaty as provisional, until ratified and confirmed by His Majesty's Ministers, on the part of The King of Great Britain ; which Ratification will be forwarded, without loss of time, to The King of Madagascar, by His Ambassador to that Court.

This formality, however, is not to prevent the Stipulations of this

Treaty from being carried into full and complete effect, from the date hereof.

FRANCIS STANFELL. } Captain of H. M. Ship Phaeton, Senior  
Naval Officer and Commissioner.

T. R. PYE, British Agent and Commissioner.

RATZILIKA, RAMANOW, } Commissioners for Radama.  
RAMPOOLE, RACIHATO. }

Done at Tamatave, Island of Madagascar, the 23d October 1817.

Approved, R. T. FARQUHAR.

*PROCLAMATION of Radama, King of Madagascar, for  
the Abolition of the Slave Trade, 23d October 1817.*

INHABITANTS OF MADAGASCAR, (Translation.)

YOU are none of you ignorant of the friendship we enjoy with the Governor of the Mauritius, and the devoted attachment we have avowed to him. His attention, unlike that of all other Foreign Nations that have visited our shores, has been directed to increase our happiness and prosperity; he has never deprived us of our rights or our properties; he has not suffered the white men to carry off our children into Slavery; he has sent us people to teach us arts and industry unknown before, to defend us against our enemies, and to prevent famine, by more extensive cultivation.

We are happier and safer since the establishment of British Dominion in our neighbourhood; and we are grateful to our good Father, who has produced for us these blessings.

His Nation and King have made Laws to prevent you from being carried out of your Island into Slavery; and he has punished such of the whites as have presumed to violate this Law.

He has called on us to assist him in this work, for our own benefit; and he has promised his powerful assistance to punish such as may be refractory and disobedient.

We willingly agree to this proposal of our Father; and we hereby declare, that if any of our Subjects or Persons depending upon our power, shall henceforward be guilty of selling any Slave or other Person, for the purpose of being transported from the Island of Madagascar, the Person guilty shall be punished, by being reduced to slavery himself, and his property shall be forfeited to me.

Let my Subjects then who have Slaves, employ them in planting rice and other provisions, and in taking care of their flocks, in collecting bees wax and gums, and in manufacturing cloths and other articles which they can sell. I set them the first example myself, by abandoning the tax payable to me upon the sale of Slaves for exportation.

I direct my Brother, Jean René, and other Chiefs upon the sea coast, to seize for their own use and profit all such Slaves as may

be attempted to be exported in their respective Provinces. They will also give every support and assistance to the Government Agent of Mauritius in the execution of his duties.

I command all my Subjects and Dependents, and invite all my Allies, to abstain from any maritime predatory excursion whatever; and more particularly neither to practise nor allow of any attack or attempt upon the friends of our Ally the British Nation.

It has been usual to make an annual attack upon the Sultan of Johanna and the Comoro Islands. Our good friend the Governor of Mauritius dissolved the meditated attack of last year; and we now join with him in forbidding any further enmity to the King or inhabitants of the Comoro Archipelago, or other Islands on the coast of Africa or North Archipelago, under the pain of our most severe displeasure, and of incurring the punishment due to pirates, of whatever Nation or People they may be.

Such is my will; let it be known to every inhabitant of this Island: it is for their own happiness and their own safety to pay obedience to this Proclamation.

Tamatave, Island of Madagascar, 23d October 1817.

RATZILIKA,	RACIHATO,	} Commissioners for Radama.
RAMPOOLE,	RAMALAYA,	
RAMANOW,		
Approved,		R. T. FARQUHAR.

#### ADDITIONAL ARTICLES.

By virtue of the Treaty concluded between His Majesty Radama, King of Madagascar, and His Excellency R. T. Farquhar, Esq., Governor and Commander in Chief of the Island of Mauritius and Dependencies, Captain General, Vice Admiral, &c. &c. &c. bearing date the 23d of October 1817, the abolition of the Exportation of Slaves shall, from this day for ever be maintained and preserved inviolate; and the Contracting Parties severally bind themselves to fulfil all the Articles and Conditions contained in the said Treaty, with the most scrupulous care and attention.

In consequence of this Treaty, confirmed and ratified by command of His Britannic Majesty, and accepted this day by His Majesty The King of Madagascar, there has been agreed upon between Mr. James Hastie, Agent of Government, on the part of His Excellency Governor Farquhar, and King Radama, that the said Mr. Hastie engages, on the part of his Government, to take with him twenty free subjects of His Majesty King Radama, to be instructed in and brought up to different trades, such as mechanics, gold and silver smiths, weavers, carpenters, blacksmiths; or placed in the arsenals, dockyards, &c. &c. &c. whereof ten shall be sent to England, and ten to the Island of Mauritius, at the expense of the British Government.



It is further agreed upon between the two Parties, that if on the arrival at Mauritius of the twenty individuals above-mentioned, accompanied by Mr. Hastie, the Governor should not consent to the instruction of the said twenty individuals, ten at Mauritius, and ten in England, then shall the Treaty become null, without compromising, however, the word or promise of King Radama.

It is understood by this Article, that the British Government shall place the said twenty individuals with persons practising the various trades before mentioned; but that Government is not responsible for their conduct or their want of capacity.

Mr. James Hastie further engages to take with him eight other individuals, to be instructed in music, for the purpose of being formed into a band for the regiment of guards of His Majesty the King of Madagascar.

In consequence of this Article and the conditions before stated, King Radama will make a Proclamation, in the which he will notify the said abolition of the Exportation of Slaves from within his Dominions: and will further invite all persons of talent, or otherwise skilled in any trade or profession, to come and visit his Country, promising to them his protection; and the said Proclamation shall be published in the Mauritius Gazette.

Given at Tananarivoux, this 11th of October 1820.

JAMES HASTIE,

RADAMA MANZAKA.

Agent to the British Government.

A true translation, NANIN E. S. VIRET,

Sworn Interpreter to Government.

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***PROCLAMATION of Radama, King of Madagascar, prohibiting the exportation of Slaves, October 11, 1820.***

MOVED by the same principles of humanity which have animated the Sovereign of Great Britain and other Powers to abolish and prohibit the Exportation of Slaves, by these presents makes a Proclamation, in the which he forbids in a solemn manner all and every person, to export the Natives of Madagascar, under the penalty of themselves, in their own persons, being reduced to Slavery.

The King Radama embraces the present occasion of calling upon all persons of talent or profession to come and visit his Country, in order to prosecute their inquiries and researches as to the nature of its productions; and to whom he gives a sacred assurance of his protection in their efforts and undertakings.

Given at Tananarivoux this 11th October 1820.

RADAMA MANZAKA.

A true translation, NANIN E. S. VIRET,

Sworn Interpreter to Government.

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*TREATY between Governor Farquhar and the Imaum of Muscat, for abolishing the Slave Traffic with Foreign Powers, through all His Highness's Dominions and Dependencies. Concluded the 10th. of September 1822.\**

Statement of the Requisitions made to His Highness the Imaum of Muscat, by Captain Moresby of His Majesty's Ship Menai, Commissioner, vested with Full Powers by His Excellency Sir Robert T. Farquhar, Baronet, Governor of the Island of Mauritius, &c. &c. &c.

Firstly. The Imaum to abolish the Foreign Slave Trade, for ever, in his Dominions.

Secondly. The Imaum to order the seizure of all such Vessels, attempting the Foreign Slave Traffic, and to seize and punish the Captain and Crew as Pirates.

Thirdly. The Imaum to punish all Persons, serving on board Ships dealing in Slaves, who do not give information to the Imaum, or his Governors, that they have been Slave dealing.

Translation of the Answers in Arabic, under the Hand and Seal of His Highness the Imaum of Muscat, to the Requisitions made by Captain Moresby of His Majesty's Ship Menai, Commissioner, &c. &c. &c.

First. I did write last season to all my Officers, positively prohibiting the sale of Slaves to any Christian Nation, and I will repeat those Orders.

Second. I will send orders to all the Officers throughout my Dominions, that if they find (the owners of) any Arab Vessels buying Slaves for sale in Christian Countries, they must take possession of all such Vessels and inflict punishment on the Commanders, (owners) thereof, even though they be bound for Madagascar.

Third. I will instruct my Officers, and publish generally such instructions throughout my Dominions, that the Crews of any Vessels carrying Slaves for sale, in Christian Countries, be enjoined, on their return to the Arab port to give information to the Authority at such port, that he may punish the Commanders, and that if they come to be detected in concealing such information, they (the Crews) shall themselves suffer punishment.

\* Presented to the House of Commons by Command of His Majesty, April 25, 1825.

Fourthly. His Highness to appoint, at such places as His Majesty the King of Great Britain may wish, habitations for the residence of Consuls, Agents or others, charged with the suppression of the Slave Trade by *English Subjects*; such Consuls Agents or others, are to receive the assistance, on application, of His Highness the Imaum or his Lieutenant Governor or others, for the apprehension and detention of any English subjects who may attempt the Traffic.

Fifthly. The Imaum to authorize British Cruizers to seize all Arab Vessels that may be found loaded with Slaves, after the expiration of four months from the present date, if bound to any port out of His Highness's Dominions.

Sixthly. The Imaum, or his Governors, to provide all Arab Vessels with Passes (port clearances.) Any Vessels found with Slaves on board, who have not such port clearances, to be seized according to the 5th requisition, by any British Cruizers that may meet them.

Fourth. The authority you require, permitting the settlement of an Agent on your part in Zanzibar, and the neighbouring parts, for the purpose of having intelligence and watching the Traffic in Slaves with Christian Nations is granted, and I now give it to Captain Moresby.

Fifth. The authority you have required, permitting (to you) after the expiration of four months, the seizure of all Vessels laden with Slaves bound for Christian Countries, is hereby granted to Captain Moresby.

Sixth. I will write to my Governors, regarding the statement to be given in writing to all Ships departing on a voyage, certifying from what port they have come and whither they are bound, and you may seize every Vessel you may fall in with beyond Madagascar, and in the sea of Mauritius, after four months from the date of the permission contained in the answer to the 5th requisition above acceded to, and you may carry in to me, for my disposal; any Ship you may meet even on this side (the Isle of France,) provided she have not the written statement required from the Governor of the port whence she sailed.

Signature of the Imaum.



FAIRFAX MORESBY,  
Captain H.M. S. Menai.

*Additional Requisition by Captain  
Moresby to the Imaum of Muscat.*

THAT it may be understood in

*Reply.*

I HAVE permitted Captains

the most comprehensive manner, where Arab Ships are liable to seizure by His Majesty the King of England's Cruizers, after the expiration of four months, the Imaum to authorize that The King of England's Cruizers, finding Arab Ships with Slaves on board to the Eastward of a line drawn from Cape Delgado, passing sixty miles East of Socotra, on to Diu Head, forming the western point of the Gulf of Cambay (unless driven by stress of weather,) shall be seized and treated by His Majesty's Cruizers in the same manner as if they were under the English Flag.

F. MORESBY,  
Captain H. M. S. Menai.

Ships of the Government of the English State ("Surkar il doivent il ingly seed") to seize all Arab Vessels loaded with Slaves for the foreign market, that shall be found to the Eastward of the prescribed line, after the expiration of four months from the date of the fifth requisition already agreed to; but Ships driven by stress of weather without the said line, must suffer no molestation.

Signature of the Imaum

Seal  
of the  
Imaum

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in India.—1817 to 1824.\**

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\* Presented to Parliament, by His Majesty's Command, April 26, 1825.



*No. 1.—SUPPLEMENT to the Definitive Treaty with the Guicowar, dated 6th November, 1817.*

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A DEFINITIVE Treaty, consisting of 17 Articles, in consolidation of all preceding Engagements with the Guicowar State, was concluded at Baroda, between the Hon. English East India Company and the Maharajah Anund Rao Guicowar Sena Khaskheyl Shumshur Behadur, his Heirs and Successors. The following Articles of Engagement are now agreed on and settled, as supplemental to the said Treaty, by His Highness Futteh Sing Row Guicowar, on the part of the said Maharajah Anund Row Guicowar, and Cap<sup>t</sup>. James Rivett Carnac, on the part of the said Hon. Company, under Full Powers and Authority granted to them respectively for that purpose ;

I. Whereas it has appeared highly expedient, in order effectually to provide for the maintenance of the interests of the alliance in Guzerat, and for the protection of the Guicowar Dominions, that additional means to those provided by the 3rd Article of the Definitive Treaty, dated 21st April 1805, corresponding with 20th Mohurum 1220, Hejira, or Summut 1861, in the month of Chytre, should be furnished by the Hon. Company, the Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur agrees to receive, and the Hon. East India Company to furnish, an increase to the present Subsidiary Force of 1 battalion of Native Infantry, of not less than 1,000 men, with 2 Regiments of Native Cavalry of the same strength and complement as the Cavalry Regiment belonging to the Poona Subsidiary Force, and the Maharajah further engages to the admission and residence in the Guicowar Territories of any number of British Troops in excess to the subsidiary Force, His Highness being liable to no additional charge on this account.

II. The Subsidiary Force will at all times be ready to execute the services expressed in the 4th Article of the Treaty dated 21st April 1805, corresponding with 20th Mohurum 1220, Hejira, or Summut 1861, in the month of Cheytre; and in the event of war breaking out with any of the Powers of India, it is agreed, conformably to the 12th Article of the aforesaid Treaty, that with the reserve of a battalion of Native infantry, to remain near the person of the Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, or such a proportion as may appear necessary for the security of Guzerat, the residue of the Subsidiary Force now composed of 4 battalions of Native infantry of 1,000 men each battalion, or 5 battalions of 800 men, and two regiments of Native Cavalry, with one company of European Artillery, with their proportion of gun lascars, with the necessary ordnance and warlike stores and ammunition, shall be immediately put in motion for the purpose of opposing the enemy.

III. For the regular payment of the expence of the augmentation of the Subsidiary Force, as stipulated in the First Article of this engagement, H. H. Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, hereby assigns and cedes in perpetuity to the Hon. English East India Company, all the rights which H. H. has obtained from the perpetual farm of the Peishwah's Territories, subject to the City of Ahmedabad, as secured by the 15th Article of the Treaty of Poona, dated 13th June, 1817, A. D., corresponding with 27th Rejut 1232, Hejira, or Summut 1873, in the month of Jeyst, it being distinctly understood that the engagements to H. H. the Peishwah contingent on the farm of the said Territories, are to be performed by the Hon. Company, and no claim of any description on such account is at any time to be preferred against the Guicowar Government. The Territories comprehended in the farm of Ahmedabad are detailed in the Schedule B. annexed to this Treaty.

IV. In as much as the Pergunnahs belonging to the Hon. Company, of Dubhoe Bahaderpoor and Sowlee, from their proximity to Baroda, are peculiarly valuable to the Guicowar Government, it is accordingly agreed that these districts be made over in perpetuity and full sovereignty to His Highness Anund Row Guicowar, his heirs and successors, and that H. H. assigns for ever in full sovereignty his share of the City of Ahmedabad, with the exception hereafter specified, and a proportion of the Guicowar share of the Petland District, contiguous to the Company's Territories, in perpetuity and with all the rights of Sovereignty thereof, in exchange for the aforesaid Districts belonging to the Hon. Company, the Territories of each Party being received at the revenues specified in the annexed Schedule (C.) H. H. Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, having retained possession of his Fort or Havillie, in the City of Ahmedabad, and its dependent Possessions, known under the denomination of the Duscorac; it is further agreed and determined, that H. H. only maintain a Force in the said Havillie, sufficient for the purposes of revenue collections and Police, and that H. H's servants in the Havillie will conduct themselves with strict regard to the rules and regulations within the City of Ahmedabad of the Company's Government. The Hon. Company on the other hand hereby promises that every proper accommodation shall be afforded from the Public Authorities in the City to the servants of H. H. Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, residing at or stationed in the said Havillie, as well as that all persons or troops subject to H. H's. authority at the Havillie of Ahmedabad, or the Guicowar Duscoorac shall not be amenable to the Laws of the British Government, but made subject to H. H's. authority, who hereby agrees to afford satisfaction to the Local Authorities of the Hon. Company, of adequate punishment according to his Laws, for any misconduct of his servants

and dependents within the City of Ahmedabad. In consideration of the good will and friendship which has so long happily subsisted between the Hon. Company and the Guicowar Government, such goods and articles as may be *bonâ fide* required for the private use or consumption of that Family, or of the Ministers, shall be allowed to be purchased at Ahmedabad, and to be sent from thence free of duties on being accompanied by a Passport from the Resident at Baroda.

V. Whereas by the exchange of Districts stipulated in the foregoing Article, great advantages are derived in territorial extent and population from the Possession of Dubhoo Bhaderpoor and Sowlee, H. H. Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, adverting to this benefit, agrees to assign Territory in the vicinity of Surat, or from his portion of the Pergunnah of Petland, in exchange for the Mogullae claims of the Hon. Company, in virtue of its Possession of the Castle of Surat, on the Districts belonging to the Guicowar, in the Province termed Surat Attaveesy.

VI. By Schedule A to the Definitive Treaty, Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, ceded in perpetuity to the Honourable Company for the expences of a subsidiary Force, certain Districts, with all the rights of Sovereignty and produce thereof, and all the Forts they contain, from which Districts the Pergunnah of Beejapoor, has been exchanged for other Districts of equal produce, as particularized in a separate List annexed hereto; conformably to which Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur engages to transfer in perpetuity all rights of Sovereignty over those Districts, and all the Forts which they contain, to the Hon. Company, and the Hon. Company agrees to restore, for ever, the whole right of Sovereignty over the District of Beejapoor and the Forts which it contains, to Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur; and whereas in consideration of the Maharajah having consented to the exchange of the District of Beejapoor, the Hon. Company do promise that they will not apply in future to the Maharajah, his children, heirs, or successors, for the exchange of any of the Districts ceded by the Definitive Treaty, bearing date the 21st day of April 1805, corresponding with 20th Mohurram 1220, Hejira or Summut 1861, in the month of Cheytree, or of the other Districts now exchanged for Beejapoor, or for the exchange of any Territory whatever.

VII. Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur having represented to the Honourable Company, that on the Island of Bale, and in the Province of Okamundel, there are two places of Hindoo religious worship and devotion, and that the Guicowar Government should be put in possession of these places, and the Hon. English East India Company being disposed to comply with the earnest desire of the Maharajah, the Province of Okamundel and the



Island of Bale, with all the rights of Sovereignty thereof, and all the Forts they contain, are accordingly given to the Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, his heirs or successors, in perpetuity, and the Maharajah Sena Khaskheyl Shumshur Behadur promises to allow in perpetuity a building on the Island of Bale to the Hon. Company, for depositing Stores, free of any claim for tax or otherwise, and consents that all Vessels, Boats, Servants, Subjects, &c. belonging to the Hon. Company, as well as Merchant Vessels from the Hon. Company's Ports, as may frequent any of the Ports and Places in the Province of the Guicowar Government, shall pass and repass without hindrance; and the Hon. Company on the other hand agrees, that all Vessels, Boats, Servants, Subjects, &c. belonging to the Guicowar Government, as well as Merchant Vessels from the Ports of the Guicowar Government which may frequent the Hon. Company's Ports, shall also pass and repass without hindrance. The Maharajah moreover promises that the Person who may reside in charge of the Hon. Company's Stores, shall meet with no molestation whatever, and be treated with all due consideration.

VIII. Whereas by the 2nd. Clause of the 12th Article of the Treaty of the 21st April 1805, corresponding with 20th Mohurram 1220, Hejira or Summut 1861, in the Month of Cheytree, the Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur has stipulated to furnish his Troops to act with the British Forces on any great exigency, His Highness hereby further engages in case of War to bring forward the whole of the military resources for the prosecution of the War. The Hon. Company on the other hand agrees to take into consideration and determine the pretensions of the Guicowar Government to benefit by any future partition of Territory acquired in foreign Wars. The Guicowar Government also binds itself to maintain, and hold at the disposal of the Hon. Company, to act with the subsidiary Force wherever it may be employed, and to be subject to the general command of the Officer commanding the British Troops, a body of 3,000 effective Cavalry, to be supported exclusively at the expence of H. H. the Guicowar, and that H. H. will conform to the advice and suggestion of the British Government, relative to the formation and equipment of the contingent of Horse, its regular Monthly payment, the condition of its arms and accoutrements, according to the customs of the Guicowar Government, its muster to be personally taken by the head of the Guicowar Government; and at the time of its payment on the day of the new Moon in every Month, the Guicowar Government and the Resident at Baroda will also take the muster thereof, or if the Force is dispatched from Baroda on service, the Officer who will be nominated by the Guicowar Sicar to its command, and the Officer who proceeds in the command of the Hon. Company's Troops shall jointly take the muster agreeably to the aforesaid Agreement made in that respect.



**IX.** The Contracting Parties being actuated by a sincere desire to promote and maintain the general tranquillity and order of their respective Possessions, and adverting to the intermixture of some of the Territories belonging to the Hon. Company and the Maharajah Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, it is therefore hereby agreed that Offenders taking refuge in the jurisdiction of either Party shall be surrendered on demand without delay or hesitation.

**X.** All Articles of the Definitive Treaty at Baroda, dated 21st April 1805, corresponding with 20th Mohurram 1220, Hejira or Summut 1861, in the Month of Cheytree, not contrary to the present Engagement, are hereby confirmed.

**XI.** The Supplemental Treaty, consisting of 11 Articles being this day, 6th November 1817, corresponding with 25th Jil hej 1232, Hejira or Summut 1873, in the Month of Asrouin, settled and concluded at Baroda, to be binding and permanent when ratified by His Excellency the Most Noble the Marquess of Hastings, K. G. Governor-General in Council.

#### HASTINGS.

**Memo.** This Treaty was ratified by His Excellency the Governor-General in Camp at Massowly, this 12th day of March 1818.

J. ADAM, Secretary to the Governor-General.

[See Additional Article, page 480.]

*Schedule B, of the Funds assigned, and Territories ceded in Perpetual Sovereignty by His Highness Anund Row Guicowar Sena Khaskheyl Shumshur Behadur, to the Hon. English East India Company, under the Supplemental Treaty, dated 6th November 1817, corresponding with the 25th Zehijj 1232, Hejira or Sumbut 1873, in the Month of Asrouin, in order to provide for the Regular Payment of the Additional Troops subsidized.*

Districts composing the Perpetual Farm of Ahmedabad, ceded and accepted at Net Rupees 12,61,969, 2, 50, subject to all the conditions of the Farm.

Half of the City of Ahmedabad, Peishwah's Duscorage Pergunnah Bonemgaum, Peraunttee, and Peishwah's share in Hursoobe and Moorossa. Paunch Mahls as follows: Mahmoodabad, Alema, or otherwise Thamma, Tarra, Arytrolie, Balesmore and Vesapore, half of the Town and Pergunnah of Petland.

(Net Rs. 12,61,969 2 50.)

Schedule C. or Statement of Districts, with the Revenues of each exchanged with the Guicowar Government, including the exchange of the Pergunnah of Beejapoor, as set forth in the 4th and 6th Articles of the Supplemental Treaty.

Dr.	Rupees.
To Beejapoor and Tuppa Summow of Kuree.....	1,66,647 1 0
Dubboy .....	2,07,918 2 20
Bhadderpoor.....	14,377 1 32
Sowlee .....	75,333 0 0
Maghillac dues of the Surat Attaveesy.....	75,763 1 25
The amount of Killadaree Baubutbe, collected by Kaira, Collector from the Jaghire villages of Sundana Antrollee and Wasna of Subhanjee Pole, which was not deducted from the amount at which these villages were credited to the Honourable Company .....	1,652 0 0
The amount of Syed Poora village, ceded by Guicowar Government with the Duscoerae .....	1,800 0 0
Proportion of Enom of 20,000 Rupees on 56,000 Rupees of Duscoera, as explained by the 17th paragraph of the Letter of the 15th of June 1818.....	642 0 0
The amount of Dhurmada Lungur, being charities of the Ahmedabad Duscoerae .....	1,824 0 81
Cusba Town of Petland and Sayer of the District.....	32,890 2 31
	5,78,848 0 89
Balance to be made up to the Guicowar, by the transfer of a village in Petland, or the Surat Attaveesy .....	2,117 1 69
<b>RUPEES.....</b>	<b>5,80,965 2 58</b>

Cr.	Rupees.
By Cupperbund .. .....	52,600 0 0
Bhalez .....	40,000 0 0
Kurode.....	60,000 0 0
Three villages of Subhanjee Pole, viz. Sundanah of Petland Pergunnah, Antrobe of Mater Pergunnah, and Wasna of Mandeh Pergunnah.....	9,047 1 0
Kunnege village of Ahmedabad Duscoerae Pergunnah .....	5,000 0 0
	1,66,647 1 0
City of Ahmedabad .....	1,65,313 3 7
Pergunnah Ahmedabad Duscoera and Havillie .....	1,68,000 0 0
Turkeyser and Mota Cusba of Surat Attaveesy.....	29,641 0 0
Deduct therefrom Moghullae .....	1,007 0 0
	28,634 0 0
Settled in favour of the Hon. Company for .....	27,996 2 51
Moghullae of Mota Cusba of Surat Attaveesy .....	1,007 0 0
Cusba Town of Omrut .....	34,001 0 0
<b>RUPEES .....</b>	<b>5,80,965 2 58</b>

*No. 2.—TREATY with the Rajah of Dutteeah, dated 31st July 1818.*

WHEREAS a Treaty of Friendship was concluded between the British Government and Rajah Pareechut, Rajah of Dutteeah, on the 15th of March 1804; and whereas, by virtue of a Treaty concluded between the British Government and the late Peishwah, under date the 13th of June 1817, the Territory held in Jaggeer from the Peishwah by the Vinchoorker Jaggeerdar, North of the Nerbuddah River, was ceded to the British Government; and whereas the Rajah of Dutteeah, by the zeal, fidelity and attachment, which he has uniformly manifested to the British Government, since the date of his former Treaty, and more especially by the prompt and effectual assistance he afforded the British Troops during the late encampment of the army, under the personal command of The Most Noble the Gov.-Gen. within his Country, has established a just claim to the liberality and indulgence of the British Government. The Most Noble the Marquess of Hastings, Governor-General, influenced by these considerations, has consented to bestow, in perpetuity, upon the said Rajah Pareechut, Rajah of Dutteeah, that portion of the late Jaggeer of the Vinchoorker Jaggeerdar laying East of the River Sinde, commonly called the Chowrassie, subject, however, to the charges and conditions set forth in the following Articles. With a view, also, to the further strengthening and confirming of the friendship and attachment of the State of Dutteeah, the British Government has consented to protect the Dutteeah Territory against all Foreign enemies. The following Articles have accordingly been concluded between Rajah Pareechut, Rajah of Dutteeah and the British Government, in amendment of the former Treaty.

I. The Treaty concluded between the British Government and Rajah Pareechut, under date the 15th of March 1804, is hereby confirmed, with exception of such parts of it as are amended or altered by the provisions of this Treaty.

II. The British Government hereby grants, in perpetuity, to the said Pareechut, Rajah of Dutteeah, all those lands lying to the East of the river Sinde, known by the name of Chowrassie, and formerly held by the Vinchoorker Jaggeerdar, as detailed in the subjoined List; subject, however, to the conditions and charges contained in the following Articles. The Rajah is hereby also confirmed in the permanent possession of that part of Vinchoorker Jaggeerdar, contained also in the subjoined List, which is already in the Rajah's possession.

III. Rao Gunput Rao, the Agent of the Vinchoorker Jaggeerdar, will receive an assignment to the Amount of 10,000 Rupees per annum on the aforesaid lands; and the Rajah of Dutteeah hereby

agrees to pay to the said Gunput Rao the above provision, in such manner as the Most Noble The Gov.-Gen. may direct.

IV. The British Government hereby agrees to protect the original Territory of the Rajah of Dutteeah, as well as the District now granted to the Rajah, from the aggressions of all Foreign Powers.

V. The British Government having, by the terms of the foregoing Article, engaged to protect the Territory of Dutteeah from the aggressions of all Foreign Powers, it is hereby agreed between the Contracting Parties, that whenever the Rajah of Dutteeah shall apprehend a design on the part of any Foreign Power to invade its Territories, whether in consequence of any disputed claim, or any other ground, he shall report the circumstances of the case to the British Government, which will interpose its mediation for the adjustment of such disputed claim, and the Rajah, relying on the justice and equity of the British Government, agrees implicitly to abide by its award. If the apprehended aggression shall be referable to any other cause, the British Government will endeavour, by representation and remonstrance, to avert its design; and if, notwithstanding the Rajah's acquiescence in the award of the British Government, the other Power shall persist in its hostile designs, and the endeavours of the British Government shall fail of success, such measures will be adopted for the protection of the Rajah's Territories as the circumstances of the case may appear to require.

VI. In consideration of the liberal grant of Territory now made to the Rajah of Dutteeah, and the protection and guarantee afforded by the two foregoing Articles to the Rajah's Territory; the Rajah hereby binds himself to employ his Troops at his own expence, whenever required to do so, in co-operation with those of the British Government, on all occasions in which the interests of the two States may be mutually concerned. On all such occasions the Dutteeah Troops shall act under the orders and controul of the Commanding Officer of the British Troops.

VII. The Rajah of Dutteeah hereby agrees to submit to the arbitration of the British Government all his disputes with other Chieftains, and implicitly to abide by its award.

VIII. The Rajah engages at all times to employ his utmost exertions in defending the roads and passes of his Country, against any enemies or predatory bodies who may attempt to penetrate through it into the Territories of the British Government.

IX. Whenever the British Government may have occasion to send its Troops through the Territories of the Rajah of Dutteeah, or to station a British Force within them, it shall be competent to the British Government to detach or station its Troops, and the Rajah shall give his consent accordingly. The Commander of the British Troops who may thus



eventually pass through, or permanently occupy a position within the Rajah's Territory, shall not in any manner interfere in the internal concerns of the Dutteeah Government. Whatever materials or supplies may be required for the use of the British Troops during their continuance in the Dutteeah Territories, shall be readily furnished by the Rajah's Officers and Subjects, and shall be paid for at the price current of the Bazar.

X. The Rajah of Dutteeah hereby binds himself to maintain no correspondence with Foreign States without the privity and consent of the British Government.

XI. The Rajah of Dutteeah hereby engages to give no asylum to criminals, nor to defaulters to the British Government, who may abscond and take refuge within its Territories; and should the Officers of the British Government be sent in pursuit of such criminals and defaulters, the Rajah further engages to afford such Officers every assistance in his power in apprehending them.

XII. This Treaty, consisting of Twelve Articles, having been this day contracted, subject to the pleasure of The Most Noble the Gov. Gen. between the British Government and the Rajah of Dutteeah, through the agency of Mr. John Wauchope, Agent of the Governor-General, on the one part, and Rao Sheo Pershaud, Vakeel of the Rajah of Dutteeah, on the other, Mr. Wauchope and the said Vakeel have signed, sealed, and exchanged two Copies of it, in the English, Persian, and Hindu languages. A corresponding Copy, if approved, will be ratified by the seal and signature of The Most Noble the Governor-General, and hereafter delivered to the said Vakeel for the purpose of being transmitted to the Rajah; after which another Copy, signed and sealed by the Rajah, will be delivered to Mr. Wauchope, for the purpose of being deposited among the records of the British Government.

Done at Callinger, this 31st July, 1818, corresponding with the 14th of Sawun 1225 Fusly, and 1875 Sumbut, and with the 26th of Ramzaun 1233 Hejira.

(Ratified by the Gov.-Gen. in Council, at Fort William, the 29th day of August 1818.)

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*List of Villages ceded by the Second Article.*

Ochar, Lauch, Andowreh, Kyrowneh, Koolaith, Bainao, Paharee Syum, Paharee Rowut, Erentaroreh, Bararee, Kheereeah, Doorgahpor, Soonrapuraro, Dabaoreh, Nundenah, Seyoonee, Jigneeah, Banrapoorah, Ramgurrah, Todah, Chittaree, Bhorowly, Seawaree, Karrah, Kirkah, Bhudowneh, Teletha, Bhirsooleh, Sonaree, Khujoree, Thy-lee, Selooree, Ekoneh, Jaigha, Jhahjhpore, Jytpoorah, Chonkooree.

The following villages, already in the Rajah's possession, are confirmed to him by the second Article:

Judergurgh, Khundooah, Burgawan, Netwahpoora, Khootowndah.  
Daober, Peperwah, Jowneah, Dylwah, Bhindowl, Puchokherah.

Done at Callinger, this 31st of July 1818, corresponding with the 14th Sawun 1225 Fusly, and 1875 Sumbut, and with the 26th of Ramzaun 1233 Hejira

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**No. 3.—*TREATY with the Rajah of Banswarra, dated the 16th September 1818.***

**TREATY** between the Hon. the English East India Company and Ræe Ræeaun Maha Rawul Sree Omed Sing Behauder, Rajah of Banswarra, and his Heirs and Successors; concluded on the part of the Honourable English East India Company, by Mr. Charles Theophilus Metcalfe, in virtue of Full Powers granted to him by H. E. The Most Noble the Marquess of Hastings, K. G., Gov. Gen.—and on the part of Maha Rawul Sree Omed Sing Behauder, by Ruttum Jeo Pundid, in virtue of Full Powers granted by the Maha Rawul.

I. There shall be perpetual Friendship, Alliance and Unity of interests, between the British Government and Maha Rawul Sree Omed Sing Behauder, Rajah of Banswarra, and his Heirs and Successors, and the friends and enemies of either of the Contracting Parties shall be the same to both.

II. The British Government engages to protect the Principality and Territory of Banswarra.

III. The Maha Rawul, and his Heirs and Successors, will always act in subordinate co-operation with the British Government, and with due submission to its supremacy, and will not henceforth have any connection with other Chiefs and States.

IV. The Maha Rawul, and his Heirs and Successors, shall remain absolute Rulers of their Territory and Principality, and the civil and criminal jurisdiction of the British Government shall not be introduced therein.

V. The affairs of the Principality of Banswarra shall be settled according to the advice of the British Government, in which the British Government will pay all practicable attention to the will of the Maha Rawul.

VI. The Maha Rawul, and his Heirs and Successors, will not enter into negotiations with any Chief or State, without the sanction of the British Government: but his customary amicable correspondence with friends and relations shall continue.

VII. The Maha Rawul, and his Heirs and Successors, will not commit aggressions on any one; and if any dispute accidentally arise with any one, the adjustment of it shall be submitted to the arbitration of the British Government.

VIII. The Maha Rawul, and his Heirs and Successors, will pay

tribute to the British Government to the extent of three eighths of the revenue of their Possessions.

IX. The State of Banswarra shall furnish Troops on requisition, according to its means, for the service of the British Government.

X. This Treaty of Ten Articles, having been concluded, and signed and sealed by Mr. Charles Theophilus Metcalfe, and Ruttum Jeo Pundid, the Ratifications of the same by H. E. The Most Noble the Gov.-Gen. and Maha Rawul Omed Sing, shall be exchanged within two months from this date.

Done at Delhi, the 16th September, A. D. 1818.

(Ratified by H. E. the Gov. General in Council, the 10th day of October 1818, at Fort William.)

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**SUPPLEMENTARY ARTICLE of the Treaty of the 16th of September 1818, between the Hon. English East India Company and Ræe Raceaun Maha Rawul Sree Omed Sing Behauder, Rajah of Banswarra.**

WHEREAS the Maha Rawul declares, that heretofore, he has never paid fixed tribute to any one, it is hereby agreed that if any Chief lay claim to tribute and prove his right, the settlement of such claim shall be submitted to the arbitration of the British Government.

Done at Delhi, the 16th September, A. D. 1818.

(Ratified by E. the Governor-General in Council, the 10th day of October 1818, at Fort William.)

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**No. 4.—TREATY with the Rajah of Dowleah and Purtaubgurh, dated the 5th October 1818.**

ENGAGEMENT entered into by the Hon. the East India Company and Samut Sing, Rajah of Dowleah and Purtaubgurh, his Heirs and Successors, settled by Capt. Caulfield, under authority from Brigadier-Gen. Sir John Malcolm, K. C. B. and K. L. S. Political Agent to the Most Noble the Gov.-Gen. on the part of the Hon. East India Company, and Ram Chund Bhow, on the part of Samut Sing, Rajah of Dowleah and Purtaubgurh, the said Brigadier-Gen. Sir J. Malcolm, being invested with full power and authority from The Most Noble Francis Marquess of Hastings, K. G. one of His Britannic Majesty's Most Hon. Privy Council, appointed by the Hon. East India Company to direct and control all their affairs in the East Indies, and the said Ram Chund Bhow being duly invested with Full Powers on the part of Samut Sing, Rajah of Dowleah and Purtaubgurh.

I. The Rajah promises to give up all connections with other States, and to the utmost of his power prove his obedience to the British Government; who, in return, agree to assist him in re-estab-

lishing good order throughout his District, and to protect him from the claims and trespasses of all other States.

II. The Rajah agrees to pay to the British Government, all arrears of tribute justly due to Maharajah Mulhar Rao Holkar, amounting to 1 Lac, 24,657 Rupees and 6 annas, in the following manner, viz. :

The first year, Anno Domini 1818-19, corresponding to the years Fusly 1226 and 1875 Sumbut, 10,000 Rupees; Second year, 15,000 Rupees; Third year, 20,000, Rupees; Fourth year, 25,000, Rupees; Fifth year, 25,000, Rupees; Sixth year, 29,657, Rupees, and 6 annas.

And the Rajah further agrees, that in case the above payments be not made as specified, an Agent on the part of the British Government, shall be appointed to receive the sums above-mentioned from the town duties of Purtaubgurh.

III. The Rajah of Dowleah and Purtaubgurh agrees, on his part and that of his heirs, to pay to the British Government, in lieu of its protection, such tribute and presents as he has hitherto paid to Mulhar Rao Holkar; the above tribute to be paid as follows, viz,

The first year, Anno Domini 1818-19, corresponding to the year 1226 Fusly, and 1875 Sumbut, the sum of 35,000 Rupees; Second year, 45,000 Rupees; Third year, 55,000 Rupees; Fourth year, 65,000 Rupees; and the Fifth year, the full amount of the tribute, namely, 72,700 salum shahee Rupees, in 2 payments, half in Maugh, and the other half in Jayte, corresponding to the months of March and July.

IV. The Rajah further agrees not to entertain Arabs or Mekranies in his service, but to keep up 50 horsemen and 200 foot Soldiers, inhabitants of the Purtaubgurh district, who are to be at the disposal of the British Government, whenever their services are required in the vicinity of the Purtaubgurh district.

V. The Rajah of Purtaubgurh to be the Master of his own Government, in the affairs of which the British Government is not to interfere, except in the settlement of all predatory tribes, and in the re-establishment of tranquillity and good order: the Rajah agrees to be guided by the advice of the British Government; and further that he will not levy any annual duty on the Mint or Merchants, or on Merchandize, throughout his Territories.

VI. The British Government agrees not to give countenance to any of the connexions or relations of the Purtaubgurh Rajah who may be disobedient, but to afford the Rajah aid in bringing them under due controul.

VII. The British Government agrees to aid the Rajah in subduing the Meenahs, Bheels, &c. &c.

VIII. The British Government agrees not to interfere with any just and ancient claims the Rajah may be authorized to make, by usage, on his subjects.



**IX.** The British Government agrees to aid the Rajah in all his just demands on his subjects, should he not be able to enforce them.

**X.** If the Purtaubgurh Rajah should have any just claims upon any neighbouring State, or the surrounding Thakoors, the British Government agrees to afford him the benefit of their influence in recovering or adjusting them. It will also mediate to settle any difference or dispute that may arise between him and such Chiefs.

**XI.** The British Government agrees not to interfere in the distribution of the Kherant lands; and it will pay, on all occasions, the utmost respect to the religious customs and prejudices of the Rajah and the inhabitants of the Country.

**XII.** The Rajah agrees, in the 3rd Article of this Engagement, to pay tribute to the British Government, and for the purpose of securing the same, agrees to pay the said tribute to Persons to be appointed to receive it on the part of the British Government; and in the event of any failure in the said payment, the Rajah agrees that an Agent, on the part of the British Government, be appointed to receive the tribute from the town duties of Purtaubgurh.

This Engagement, consisting of twelve Articles, has been this day settled by Capt. James Caulfield, acting under the direction of Brigadier-Gen. Sir John Malcolm, K. C. B. and K. L. S. on the part of the Hon. Company, and by Ram Chund Bhow on the part of Samut Sing, Rajah of Dowleah and Purtaubgurh. Capt. Caulfield has delivered one Copy thereof, in English, Persian, and Hindu, signed and sealed by himself, to the said Ram Chund Bhow, to be forwarded to the Rajah of Dowleah and Purtaubgurh, and has received from the said Ram Chund Bhow, a counterpart of the said Engagement, and sealed by him.

Capt. Caulfield engages, that a Copy of the said Treaty, ratified by The Most Noble the Gov. Gen. in every respect a counterpart of the Treaty now executed by himself, shall be delivered to Ram Chund Bhow, to be given to Samut Sing, Rajah of Dowleah and Purtaubgurh, within the period of two months; and on the delivery of such Copy to the Rajah, the Treaty executed by Capt. Caulfield, under the immediate direction of Brigadier-Gen. Sir J. Malcolm, K. C. B. and K. L. S., shall be returned: and Ram Chund Bhow in like manner engages that another Copy of the said Treaty, by Samut Sing, Rajah of Dowleah and Purtaubgurh, in every respect the counterpart of the Treaty now executed by himself, shall be delivered to Capt. Caulfield, to be forwarded to The Most Noble the Gov. Gen. within the space of 8 days from this date, and on the delivery of such Copy to The Most Noble the Gov. Gen. the Treaty executed by Ram Chund Bhow, by virtue of the full power and authority vested in him as above-mentioned, shall also be returned.

Done at Neemitch, this 5th day of October A. D. 1818, on the 4th day of Zehijj, in the year of Hejira 1233, corresponding to the 6th day of the month Asauje Sud Chyte Sumbut 1875.

(Ratified by His Excellency The Most Noble the Gov. Gen. in Council, at Fort William, the 7th day of November, 1818.)

**No. 5.—*ADDITIONAL ARTICLE to the Supplemental Treaty with the Guicowar.***

ADDITIONAL Article to the Supplemental Treaty, on a separate negotiation, concluded with His Highness Serjee Rao Guicowar, the Successor of His late Highness Futteh Sing.

It having been stipulated in the Fourth Article of the foregoing Treaty,\* that in exchange for the Districts of Dubhoe, Bahaderpore, and Sowlee, one half of the City of Ahmedabad, and a part of the villages in the Guicowar's share of the Pergunnah of Petland, be ceded to the Hon. Company; the Contracting Parties, on further consideration, have substituted the following Arrangement, including therein a Cession, on account of the Mogullae dues, in the Districts belonging to the Guicowar, in the Surut Attaveesy, which is agreed for in the 5th Article of the same Treaty, namely, the Districts known as the Guicowar's Duscoorae (inclusive of Doommalla and Enam assignments,) with the Havellie in the City and the Cusbah of Mot-tah, and the Pergunnah of Jerkeysur, in the Surat Attaveesey.

It being also mutually desirable, for the interest and convenience of both Governments, and to promote more effectually the consolidation of their power and authority, that the rights over the Cusbah town of Petland should be transferred to one or other of the Contracting Parties, His Highness Anund Rao Guicowar Sena Khaskhey! Shumshur Behauder has agreed to cede, in exchange for the Company's rights in the Susbah of Petland only, his rights in the Cusbah town of Omrul.

(Ratified by the Gov. Gen. in Council, the 28th day of Novr. 1818.)

**No. 6.—*TREATY with the Rajah of Doongerpore, dated December 11, 1818.***

TREATY between the Hon. English East India Company and Raee Raeean Maha Rawul, Sree Jeswunt Sing, Rajah of Doongerpore, his Heirs and Successors, concluded on the part of the Hon. English East India Company by Cap. J. Caulfield, acting under the instructions of Brigadier-Gen. Sir John Malcolm, K. C. B. and K. L. S. &c. &c. Political Agent for the Most Noble the Gov. Gen. and Raee Raeean Maha Rawul Sree Jeswunt Sing, Rajah of Doongerpore, on the part of himself, his Heirs and Successors, the said

\* Vide Treaty dated 6th Nov. 1817, Page 467.

Brigadier-Gen. Sir J. Malcolm being invested with Full Powers and Authority from the Most Noble Francis Marq. of Hastings, K. G., one of His Britannic Majesty's Most Hon. Privy Council, appointed by the Hon. East India Company to direct and control their affairs in the East Indies.

I. There shall be perpetual Friendship, Alliance, and unity of interest, between the British Government and Maha Rawul, Sree Jeswunt Sing, Rajah of Doongerpore, his Heirs and Successors, and the Friends or Enemies of either of the Contracting Parties shall be the same to both.

II. The British Government engages to protect the Principality and Territory of Doongerpore.

III. The Maha Rawul, his Heirs and Successors, will always act in subordinate co-operation with the British Government, and with due submission to its Supremacy, and will not henceforth have any connexion with other Chiefs or States.

IV. The Maha Rawul, and his Heirs and Successors, shall remain absolute Rulers of their Territory and Principality, and the civil and criminal jurisdiction of the British Government shall not be introduced therein.

V. The affairs of the Principality of Doongerpore shall be settled according to the advice of the British Government, in which the British Government will pay all practicable attention to the will of the Maha Rawul.

VI. The Maha Rawul, and his Heirs and Successors, will not enter into negociation with any Chief or State without the sanction of the British Government, but his customary amicable correspondence with friends or relations shall continue.

VII. The Maha Rawul, his Heirs and Successors, will not commit aggressions on any one; and if any dispute accidentally arise with any one, the adjustment of it shall be submitted to the arbitration of the British Government.

VIII. The Maha Rawul, his Heirs and Successors, agree to pay all tribute justly due to the State of Dhar, or any other Power, up to the present time, to the British Government, by annual payments, to be regulated at the discretion of the British Government, according as the Doongerpore State recovers its prosperity.

IX. The Maha Rawul, his Heirs and Successors, agree to continue to pay to the British Government, in lieu of its protection, and to defray the expences it may be put to, a tribute to be regulated by the prosperity of his Country, but never to exceed three eighths of the actual revenue.

X. The Maha Rawul, his Heirs and Successors, engage to afford what military force they may be possessed of to the British Government upon its requisition.

**XI. The Maha Rawul, his Heirs and Successors, engage to discharge all Arabs, Mekranies and Sindees, and to entertain no Soldiers but Natives of the Country.**

**XII. The British Government agrees not to countenance the connexions of the Maha Rawul who may be disobedient, but to afford him aid in bringing them under due controul.**

**XIII. The Maha Rawul agrees, in the 9th Article of this Treaty, to pay tribute to the British Government, and for the purpose of securing the same, agrees to pay the said tribute to Persons to be appointed to receive it upon the part of the British Government; and in the event of any failure in the said payment, the Maha Rawul agrees that an Agent, on the part of the British Government, be appointed to receive the tribute from the Town Duties of Doongerpore.**

This Treaty, consisting of 13 Articles, has been this day concluded by Capt. J. Caulfield, acting under the direction of Brigadier-Gen. Sir J. Malcolm, K. C. B. and K. L. S. &c. &c. and on the part of the Hon. East India Company, and Maha Rawul Sree Jeswunt Sing, Rajah of Doongerpore, on behalf of himself, his heirs and successors. Capt. Caulfield engages that a Copy of this Treaty, ratified by the Most Noble the Gov. Gen. shall be delivered to the Maha Rawul Sree Jeswunt Sing, Rajah of Doongerpore, within the period of two months, and on delivery of the same, the present Treaty, executed by Capt. Caulfield, under the immediate direction of Brigadier-Gen. Sir J. Malcolm, K. C. B. and K. L. S. shall be returned.

The Maha Rawul has signed and sealed this Treaty, in the full possession of his faculties, and from his own free will and choice, as witness his hand and seal.

Done at Doongerpore, this 11th day of December, A. D. 1818, on the 12th of the month Suffar, in the year 1234, Hejira, corresponding to the 14th of Augun Sood, Sumbut 1875.

(Ratified by H. E. the Gov.-General in Council, the 13th day of February A. D. 1819.)

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**No. 7.—TREATY with the Rajah of Jusselmere, dated 12th December 1818.**

TREATY between the Hon. East India Company and Maha Rawul Moolraj Behauder, Rajah of Jusselmere, concluded on the part of the Hon. Company by Mr. Charles Theophilus Metcalfe, in virtue of Full Powers granted by H. E. The Most Noble the Marquis of Hastings, K. G. Gov.-Gen., &c.; and on the part of the Maha Rajah Dilraj, Maha Rawul Moolraj Behauder, by Misr Motee Ram, and Thakoor Dowlut Sing, according to Full Powers conferred by the Maha Rawul.

**I. There shall be perpetual Friendship, Alliance and unity of interests between the Hon. English Company and Maha Rawul Moolraj Behauder, the Rajah of Jusselmere, and his heirs and successors.**



II. The posterity of Maha Rawul Moolraj shall succeed to the Principality of Jusselmere.

III. In the event of any serious invasion directed towards the overthrow of the Principality of Jusselmere, or other danger of great magnitude occurring to the Principality, the British Government will exert its power for the protection of the Principality, provided that the cause of the quarrel be not ascribable to the Rajah of Jusselmere.

IV. The Maha Rawul, and his heirs and successors, will always act in subordinate co-operation with the British Government, and with submission to its supremacy.

V. This Treaty of 5 Articles having been settled, signed and sealed by Mr. Charles Theophilus Metcalfe and Misr Motee Ram and Thakoor Dowlut Sing, the Ratification of the same, by H. E. The Most Noble the Gov.-Gen. and Maha Rajah Dilraj, Maha Rawul Moolraj Behauder, shall be exchanged in 6 weeks from the present date.

Done at Delhi, this 12th day of December, A. D. 1818.

(Ratified by the Gov.-Gen. in Council, at Fort-William, the 2d of January, 1819.)

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*No. 8.—TREATY with the Rajahs of Dewass, dated the 12th December, 1818.*

ENGAGEMENT between the Hon. the East India Company and the Maharajahs Tookoojee Powar and Anund Rao Powar, joint Rajahs of Dewass, their heirs and successors, settled by Lieut. Alex. MacDonald, acting under authority from Brigadier-Gen. Sir John Malcolm, K. C. B. and K. L. S., Political Agent to The Most Noble the Gov.-Gen. on the part of the Hon. the East India Company, and Succa Ram Banpoo, on the part of the Maharajahs Tookoojee Powar and Anund Rao Powar, joint Rajahs of Dewass, the said Brigadier-Gen. Sir J. Malcolm being invested with Full Powers and authority from The Most Noble Francis Marquess of Hastings, K.G., one of His Majesty's Most Hon. Privy Council, Gov.-Gen. in Council, appointed by the Hon. Company to direct and controul all the Affairs in the East Indies; and the said Succa Ram Banpoo being duly invested with Full Powers on the part of Tookoojee Powar and Anund Rao Powar, joint Rajahs of Dewass.

I. The British Government will grant its protection to the Maharajahs Tookoojee Powar and Anund Rao Powar, joint Rajahs of Dewass.

II. The Rajahs Tookoojee Powar and Anund Rao Powar engage, that, in Addition to the Attendants on their Persons, and the Sebundies of the Country, they will keep up and regularly pay 50 good horse and 50 foot, well armed, who shall be at the disposal of the British

Government; and after three years, as the Revenues of the aforesaid Rajahs of Dewass will be augmented by the increase of inhabitants and cultivation, 100 horse and 100 foot shall be kept up, and be at the disposal of the British Government.

III. The British Government will protect the Rajahs of Dewass in their present Possessions of the Mehals of Dewass, Sarungpore, Allote, Goorgoocheb, Rengnowde, Bunghowde, as well as the share of the collections, amounting to 7 per cent. of the third part of the Province of Sundersee, belonging to the Rajah Ramchunder Rao Powar of Dhar, and an equal share, viz. seven per cent. of the collection of the Province of Doongelah, belonging to the aforesaid Rajah of Dhar. The British Government will further protect the Rajahs of Dewass against the attacks of enemies, and will aid them in the settlement of any of their rebellious Subjects, and will mediate in a just and amicable manner any dispute that may arise between them and other States and Petty Chiefs.

IV. The Rajahs of Dewass engage to have no intercourse or communication with any other States, and to enter into no affair of any magnitude without the advice and concurrence of the said British Government.

V. The British Government agrees to consider the Rajahs, Tookoojee Powar and Anund Rao Powar, in every respect the Rulers of their present Possessions, and engages to give no protection to any of their discontented Relations or Dependents, and not to interfere in the internal administration of the Country.

VI. The Rajahs of Dewass relinquish their claim of 7 per cent. on the collections of the Province of Doongelah, belonging to Rajah Ramchunder Rao Powar, of Dhar, in favour of that Chief, from the beginning of the year 1876 to the beginning of the year 1879, Beekur Matjeet, in order that the above said Province, which is now entirely desolated, may be again inhabited; and after the expiration of these 3 years, the Rajahs of Dewass will consider themselves entitled to their share of 7 per cent. on whatever sum may be realized, after the deduction of expences.

VII. The Rajahs of Dewass, with a view to the improvement of their Possessions, agree to act by an union of authority, and to administer the affairs of their Provinces through one Public Minister or Chief Officer.

VIII. This Engagement, consisting of 8 Articles, has been this day settled by Lieut. Alex. MacDonald, acting under the direction of Brigadier-Gen. Sir J. Malcolm, K. C. B. and K. L. S., Political Agent to the Most Noble The Gov.-Gen. on the part of the Hon. Company, and by Succa Ram Banpoo, on the part of Tookoojee Powar and Anund Rao Powar, joint Rajahs of Dewass. Lieut. MacDonald has delivered

one Copy thereof, in English, Persian, and Mahratta, signed and sealed by himself, to the said Succa Ram Banpoo, to be by him delivered to the Maharajahs Tookoojee Powar and Anund Rao Powar, and has received from the said Succa Ram Banpoo a counterpart of the said Engagement, signed and sealed by himself. Lieut. MacDonald engages that a Copy of the said Engagement, ratified by the Most Noble the Gov.-Gen. in every respect a Counterpart of that now executed by himself, shall be delivered, through Succa Ram Banpoo, to the Maharajahs Tookoojee Powar, and Anund Rao Powar, within the period of 2 months; and on the delivery of such Copy to the Maharajahs, this Engagement, executed by Lieut. MacDonald, under the immediate direction of Brigadier-Gen. Sir J. Malcolm, shall be returned; and Succa Ram Banpoo in like manner engages, that another Copy, ratified by the Maharajahs Tookoojee Powar and Anund Rao Powar, in every respect the counterpart of the Engagement now executed by himself, shall be delivered to Lieut. MacDonald, to be forwarded to the Most Noble the Gov.-Gen. within the space of the following day (to-morrow); and on the delivery of such Copy to the Most Noble the Gov.-Gen. the Engagement executed by Succa Ram Banpoo, by virtue of the Full Power and authority vested in him as above-mentioned, shall also be returned.

(Ratified by the Governor-General in Council at Fort-William, the 12th day of December, 1818.)

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**No. 9.—TREATY with the Rajah of Banswarra, dated the 25th December, 1818.**

TREATY between the Hon. East India Company and Raee Raeeau Maha Rawul Sree Omed Sing, Rajah of Banswarra, his heirs and successors, concluded on the part of the Hon. East India Company by Capt. James Caulfield, under authority from Brigadier-Gen. Sir John Malcolm, K. C. B. and K. L. S. Political Agent for the Most Noble the Gov.-Gen. and Raee Raeeau Maha Rawul Sree Omed Sing, Rajah of Banswarra on his own part, and that of his heirs and successors, the said Brigadier-Gen. Sir J. Malcolm being invested with Full Powers and authority from the Most Noble Francis Marq. of Hastings, K. G. one of His Britannic Majesty's Most. Hon. Privy Council, appointed by the Hon. East India Company to direct and controul all their affairs in the East Indies.

I. There shall be perpetual Alliance, Friendship, and Unity of Interests between the British Government and Maha Rawul Sree Omed Sing, Rajah of Banswarra, his heirs and successors, and the Friends and Enemies of either of the Contracting Parties shall be the same to both.

II. The British Government agrees to protect the Principality and Territory of Banswarra.

III. The Maha Rawul, his Heirs and Successors, will always act in subordinate co-operation with the British Government, and with due submission to its Supremacy, and will not henceforth have any connexion with any other Chief or State.

IV. The Maha Rawul, his Heirs and Successors, shall remain absolute rulers of their Territory and Principality; and the Civil and Criminal Jurisdiction of the British Government shall not be introduced therein.

V. The affairs of the Principality of Banswarra shall be settled according to the advice of the British Government, in which the British Government will pay all practicable attention to the will of the Maha Rawul.

VI. The Maha Rawul, his Heirs and Successors, will not enter into negotiations with any Chief or State without the sanction of the British Government; but his customary amicable correspondence with friends and relations shall continue.

VII. The Rawul, his Heirs and Successors, will not commit aggressions upon any one; and if any dispute accidentally arise with any one, the adjustment of it shall be submitted to the arbitration of the British Government.

VIII. The Maha Rawul, his Heirs and Successors, engage to pay to the British Government all Arrears of Tribute to the Rajah of Dhar, or any other State, in such annual payments, and at such periods as his income may admit of, it being left to the discretion of the British Government to fix the same.

IX. The Maha Rawul, his Heirs and Successors, to continue the payment of Tribute to the British Government; which tribute is to increase annually, as the Territory of Banswarra recovers its prosperity, till it rises at whatever amount the British Government may deem adequate to cover the expence incurred by protecting the State of Banswarra, providing that such Tribute does not exceed three-eighths of the Revenue of the Country.

X. The Maha Rawul, his Heirs and Successors, agree that the Military Force of the Country shall always be at the disposal of the British Government.

XI. The Maha Rawul, his Heirs and Successors, agree never to entertain in their service any Arabs, Mekranies, Sindees, or other foreign troops, but that their Army shall be composed of the military class of the inhabitants of the Country.

XII. The British Government is not to countenance the Connexions or Relations of the Maha Rawul, his Heirs and Successors, who may prove disobedient, but afford to the Maha Rawul aid in bringing them under due controul.



XIII. The Maha Rawul, in the 9th Article of this Treaty, agrees to pay Tribute to the British Government; and for the purpose of securing the same, agrees that, in the event of delay or failure in the said payment, an Agent on the part of the British Government be stationed at Banswarra, to receive the Collections levied at the Chubootra and its dependent Nakhas.

This Treaty, consisting of 13 Articles, has this day been settled by Capt. James Caulfield, acting under the direction of Brig.-Gen. Sir John Malcolm, K. C. B. and K. L. S., on the part of the Hon. East India Company, and Raee Raeean Maha Rawul Sree Omed Sing, Rajah of Banswarra, on the part of himself, his Heirs and Successors. Capt. Caulfield has delivered one Copy thereof in English, Persian, and Hindoostanee, signed and sealed by himself, to the said Maha Rawul Sree Omed Sing, from whom he has received a counterpart of the same, bearing his seal and signature.

Capt. Caulfield engages that a Copy of the said Treaty, ratified by the Most Noble the Gov.-Gen. in every respect a counterpart of the Treaty now executed by himself, shall be delivered to the Maha Rawul Sree Omed Sing, within the space of 2 months from this date upon which the Treaty executed by Capt. Caulfield, shall be returned. This Treaty has been concluded by Maha Rawul Sree Omed Sing by his own free and unbiassed will, whilst in the full possession of his faculties.

Done at Banswarra, this 25th day of December, A. D. 1818, on the 24th day of the month Suffer, in the year 1234, Hejira, corresponding to the 13th day of the month of Poos 1875 Sumbut.

(Ratified by His Excellency the Gov.-Gen. in Council, the 13th day of February 1819.)

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**No. 10.—TREATY with the Rajah of Dhar, dated the 10th January 1819.**

TREATY between the Hon. English East India Company and Ramchunder Rao Powar, Rajah of Dhar, his Heirs and Successors, concluded on the part of the Hon. East India Company by Brigadier-Gen. Sir John Malcolm, K. C. B. and K. L. S. Political Agent of the Most Noble the Gov.-Gen., and Bapoo Ragonaut, on the part of Ramchunder Rao Powar, Rajah of Dhar; the said Brigadier-Gen. Sir John Malcolm being invested with Full Powers and Authority by the Most Noble Francis Marq. of Hastings, K. G. one of his Britannic Majesty's most Hon. Privy Council, appointed by the East India Company to direct and controul their affairs in the East Indies, and the said Bapoo Ragonaut being invested with like power and authority from Ramchunder Rao Powar, Rajah of Dhar.

I. There shall be perpetual Peace, Friendship, and Unity of Interest, between the British Government and Ramchunder Rao Powar,

Rajah of Dhar, his heirs and successors; and the Friends and Enemies of the one State shall be the Friends and Enemies of the other.

II. Ramchunder Rao Powar, Rajah of Dhar, agrees to act in subordinate co-operation with the British Government, and to have no intercourse or alliance, private or public, with any other State, but secretly and openly to be the Friend and Ally of the British Government; and at all times, when that Government shall require, the Rajah of Dhar shall furnish troops, (infantry and horse) in proportion to his ability.

III. The British Government agrees to protect the State of Dhar and its Dependencies, viz. Budnawar, Birseah, Kooksee, Derhampore, Sooltanabad, Bulkia, Nulcha, Loharee, and Khurairah, in the Province of Joswut, and Lall Gurh, Doongla, and to secure them and the tribute of Allee to Ramchunder Rao Powar, Rajah of Dhar, his heirs and successors.

IV. The British Government agrees to make Jeswunt Sing, Rajah of Allee, restore the Pergunnah of Kooksee and tribute of Allee to Ramchunder Rao Powar, Rajah of Dhar, and further to aid the said Rajah of Dhar in all his legitimate claims upon the Rajpoot Chiefs of Budnawar.

V. Ramchunder Rao Powar, Rajah of Dhar, agrees, upon the part of himself, his heirs and successors, to make over to the British Government, in lieu of the expence it may occur by protecting his Country, all his tributary rights on the Principalities of Banswarra and Doongerpore.

VI. The British Government agrees to restore to Ramchunder Rao Powar, Rajah of Dhar, the Province of Birseah, lately conquered from the Pindaries, upon the following stipulations, viz. that the British Government retain possession of the aforesaid Pergunnah for a term of five years, commencing from the 29th day of March, A. D. 1819, corresponding to the month of Chyte Soedie Pourrah, 1876, Sumbut Bicker Majete, and to the 29th day of the month Jemadee ool awul, 1234 Hejira, for the purpose of liquidating a loan of two lacs and fifty thousand Haullee rupees, to be made by the British Government to the State of Dhar. Upon the expiration of the above term, on the 29th of March, A. D. 1824, corresponding to the 29th of Jemadee ool awul 1239 Hejira, all the gain or loss occurring from the possession of the Pergunnah, to belong exclusively to the British Government, which is to have the option of continuing to hold the Pergunnah from the Dhar Government, or to let it to any other State, as it may deem expedient, it being distinctly understood, that Ramchunder Rao Powar, Rajah of Dhar, his heirs and successors, are to have no claim to exercise authority in the said Pergunnah, which is to be confined to the management of the British Government, which will pay to the Dhar State the revenue and produce of the said Pergunnah.

This Treaty, consisting of six Articles, has this day been settled by Brig.-Gen. Sir John Malcolm, K. C. B. and K. L. S., Political Agent for the Most Noble the Gov. Gen. on the part of the Hon. the English East India Company, and Bapoo Ragonaut, on the part of Ramchunder Rao Powar, Rajah of Dhar, his heirs and successors. Brig. Gen. Sir J. Malcolm, K. C. B. and K. L. S. has delivered one copy thereof, in English, Persian, and Hindostanee, signed and sealed by himself, to the said Bapoo Ragonaut, from whom he has received a counterpart of the same, bearing his seal and signature, and confirmed by that of Ramchunder Rao Powar, Rajah of Dhar.

Brig. Gen. Sir John Malcolm, K. C. B. and K. L. S. engages that a Copy of the said Treaty, ratified by the Most Noble the Gov. Gen. in every respect a counterpart of the Treaty now executed by himself, shall be delivered to Bapoo Ragonaut within the space of 2 months from this date, upon which the one now executed shall be returned.

Done at Budnowar, this 10th day of January, A.D. 1819, corresponding to the 12th of the month Rubee ool awul 1234 Hejira, and to Poos Loodie Sumbut 1875 Biker Majete.

(Ratified by H. E. the Most Noble the Governor-General in Council, the 13th day of March, 1819.)

**No. 11.—TREATY with the Regency of Sawunt Warree, dated February 17, 1819.**

TREATY between the Hon. East India Company, and the Regency of Sawunt Warree on the part of the Rajah Khaim Sawunt Bhonsla; settled by Major-Gen. Sir William Grant Keir, K. M. T. on the part of the British Government, and by Rajah Khaim Sawunt Bhonsla on the part of the Government of Sawunt Warree, by virtue of Full Powers from the British Government on the one part, and with the concurrence and consent of the Regency of Sawunt Warree on the other.

I. There shall be perpetual Peace and Friendship between the British Government and the State of Sawunt Warree.

II. The British Government engages to protect the Principality and the Territory of Sawunt Warree.

III. The Regency, on the part of Rajah Khaim Sawunt Bhonsla, agrees to act in subordinate co-operation with the British Government, and acknowledge its Supremacy, and will not have any connection with other Chiefs and States.

IV. The Regency, on the part of Rajah Khaim Sawunt Bhonsla, agrees not to enter into negotiations with any Chief or State, without the knowledge or consent of the British Government.

V. The Regency, on the part of Rajah Khaim Sawunt Bhonsla, agrees not to commit aggressions on any one; and if any disputes arise they shall be submitted to the arbitration and award of the British Government.

VI. The Rajah, and his Heirs and Successors, shall remain absolute rulers of the Country, and the jurisdiction of the British Government shall not be introduced into that Principality.

VII. The Treaty of ten Articles, concluded at Mardoor between Capt. Courtland Schuyler and Rajah Pond Sawunt Bhonsla, on the 3d of October, 1812, is hereby confirmed; but Rajah Khaim Sawunt Bhonsla, having perfect confidence in the justice of the British Government, agrees, that if any of his subjects be guilty of crimes within the territories of the British Government, they shall be tried and punished by the officers of the British Government.

VIII. Whereas, frequent depredations have been committed in the British Territory by Subjects of the State of Sawunt Warree, the Regency, on the part of Rajah Khaim Sawunt Bhonsla, agrees never to employ in the service of the Government of Sawunt Warree, Sumbajee Sawunt or Babna Gopaul, the principal instigators of these depredations. The Regency further engages to deliver up to the British Government, such of the perpetrators of these depredations as it may be in their power to apprehend, and whose names have been given in by Major-Gen. Sir William Grant, Keir, K. M. T. It is further stipulated and agreed, that all subjects of the State of Sawunt Warree, who may in future be guilty of plundering the Territories of the British Government, or any of its Allies, are to be given up to the British Government, to be punished according to the laws of that Government; and in the event of the real criminals not being given up, the amount of the property plundered is to be paid by the Government of Sawunt Warree to the British Government.

IX. The Regency on the part of Rajah Khaim Sawunt Bhonsla, cedes in perpetuity to the British Government the Forts of Rairee (Eshwuntgurb) and Newtee, together with the lands round those Forts which have hitherto belonged to their jurisdiction, comprehending the districts of Paut and Ajgaum, and the whole line of sea-coast from the Carlee river to Vingorla, and from Vingorla to the Portuguese Territory; and as Sumbajee Sawunt, and Babna Gopaul are unable to reimburse the claims of the British Government, out of consideration to the Rajah Khaim Sawunt Bhonsla, those claims are expressly relinquished on the part of the British Government.

X. As a further security against a renewal of the depredations committed by the subjects of the Sawunt Warree Government, the Regency, on the part of Rajah Khaim Sawunt Bhonsla, agrees to admit any British Detachment that may be thought necessary by the British Government, into any part of the Territory of Sawunt Warree, and to afford it every assistance in seizing plunderers and freebooters.

Concluded at Majgaum, the 17th February 1819.

The above Treaty, consisting of 10 Articles, was agreed to by Rajah



Khaim Sawunt Bhonsla Behaudar Seer Dayshaie, with the approval of Nurbudda Bace and Saveetree Bace.

*No. 12 —TREATY with the Rajah of Sattarah, dated  
25th September, 1819.*

TREATY of perpetual Friendship and Alliance between the Hon. East India Company and His Highness Maharajah Pertaub Shah, his Heirs and Successors, concluded at Sattarah, the 25th September, 1819 by Capt. James Grant, Political Agent on the part of the Honourable East India Company, and Wittul Punt Furnaweese on the part of the Rajah, by virtue of Full Powers from their respective Governments.

Whereas the British Government have determined, in consideration of the antiquity of the house of H. H. the Rajah of Sattarah, to invest him with a Sovereignty, sufficient for the maintenance of his family in comfort and dignity, the following Articles have been agreed to between the said Government and his Highness :—

I. The British Government agrees to cede in perpetual Sovereignty to the Rajah of Sattarah, his Heirs and Successors, the Districts specified in the annexed Schedule.

II. The Rajah, for himself and for his Heirs and Successors, engages to hold the Territory in subordinate co-operation with the British Government, and to be guided in all matters by the advice of the British Agent at His Highness's Court.

III. The British Government charges itself with the defence of the Rajah's territories, and engages to protect his Highness from all injury and aggression. The Rajah, for himself, and for his Heirs and Successors, engages to afford every facility to the purchase of supplies for such troops as may be stationed in his Country, or may pass through it, and the pasture lands now appropriated for the use of the troops are to be permanently given up to them. The Rajah likewise, for himself, and for his Heirs and Successors, engages to afford all the assistance in his power to the British Government, in all Wars and military operations in which it may be engaged.

IV. His Highness, for himself, and for his Heirs and Successors, engages at no time to increase or diminish the military Force, without the previous knowledge and consent of the British Government.

V. The Rajah, for himself, and for his Heirs and Successors, engages to forbear from all intercourse with Foreign Powers, and with all Sirdars, Jaggeerdars, Chiefs, and Ministers, and all Persons of whatever description, who are not by the above Articles rendered subject to H. H.'s authority. With all the above Persons, H. H., for himself, and for his Heirs and Successors, engages to have no connection or correspondence. Any affairs that may arise with them relating to H. H.

are to be exclusively conducted by the British Government. If (for the purpose of forming matrimonial connections for H. H.'s family, or for any similar purpose), H. H. has occasion to communicate with Persons not rendered subject to his authority by this Agreement, such communication is to be made entirely through the Political Agent.

This Article is a fundamental condition of the present Agreement, and any departure from it on the Rajah's part shall subject him to the loss of all the advantages he may gain by the said Agreement.

VI. The Rajah shall ultimately have the entire arrangement of the Country now ceded to him; but as it is necessary, on account of the recent conquests of the Country, that it should at first be governed with particular care and prudence, the administration will for the present remain in the hands of the British Political Agent. That officer will, however, conduct the Government in the Rajah's name; and in consultation with H. H., and in proportion as H. H. and his officers shall acquire experience, and evince their ability to govern the Country, the British Government will gradually transfer the whole administration into their hands. He will, however, at all times attend, as above agreed, to the advice which the British Political Agent shall offer him for the good of his State, and for the maintenance of general tranquillity.

VII. The possessions of the Jaggeerdars within H. H.'s Territory are to be under the guarantee of the British Government, which, on the other hand, engages to secure their performing the service which they owe to H. H. according to established custom.

VIII. All persons guilty of murder, treason, robbery, or other great offences, who may fly from the Territories of the Company into those of the Rajah, are to be given up to the British Government. In like manner all criminals, as above described, who may fly into the Territories of the British Government, are to be given up to the Rajah. For the better execution of justice and prevention of crimes, the Rajah consents that the officers of the British Government may pursue such criminals and apprehend them in his Territory.

IX. The Gauts are to be the general boundary of the Rajah's Territory towards the Concan. Where no specific exception is made, those mountains are to be included within his Highness's Territory.

A survey is to be undertaken as soon as convenient, to fix the frontier where the mountains run into the plain. The British Government reserves to itself the right of retaining such portions of the mountains so situated, as may be necessary to make a clear frontier, or for other purposes.

The British Government also reserves to itself the right of cutting timber on the western sides of the Gauts. The Customs in the line of Gauts are to be levied by the Company, and an equivalent allowed to the Rajah.

X. The Hon. Company and the Rajah agree to enter, as soon as may be convenient, on a Commercial Treaty; and, in the mean time, the Rajah, for himself and for his heirs and successors, engages to adopt the same system with regard to customs as that which may be adopted by the British Government in its adjoining Territories.

XI. This Treaty consisting of 11 Articles, being this day settled and concluded at Sattarah, by Capt. James Grant and Wittul Punt Furnawesee, Capt. Grant has delivered to H. H. Maharajah Pertaub Shah, a Copy of the same in English, Mahratta, and Persian, under the Seal and Signature of the said Capt. James Grant; and H. H. Maharajah Pertaub Shah has delivered to the said Capt James Grant another Copy, also in English, Mahratta, and Persian, bearing H. H.'s Seal and Signature; and the aforesaid Capt. James Grant has engaged to procure and deliver to H. H., without delay, a Copy of the same duly ratified by H. E. the Most Noble Francis, Marquess of Hastings, K. B., one of His Britannic Majesty's Most Hon. Privy Council, Gov.-Gen. in Council, appointed by the Hon. Company to direct and controul all their Affairs in the East Indies, Commander-in-Chief of His Majesty's and the Hon. Company's Forces, &c., on the receipt of which by his said H. this said Treaty shall be deemed complete and binding on the Hon. East India Company, and on H. H. Rajah Pertaub Shah, and the Copy now delivered to his said H. shall be returned.

(Ratified by the Gov.-Gen. in Council, the 27th day of November, 1819.)

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*Schedule of the Territory and Revenue ceded to H. H. Maharajah Pertaub Shah, of Sattarah, by the First Article of the Treaty concluded at Sattarah, the 25th September, 1819, and to which this Schedule is annexed.*

I. THAT portion of Nurthuree, in the Poona Prant, and that share of Seerwul which lies South of the Neera River.

II. The whole of the Woee Prant, including the following 9 Turuffs, viz:—Kuwullee, Waghsowlee, Neemb, Kory Gaom, Sattarah, Mehra, Purelee, Koedal, Wundum.

III. The whole of the Jowlee Soobeh, from the line at which the Gauts join the plain in the Concan, and including the following nine Turuffs, viz: Barah Moorree, Sonat Salsay, Jamb, Alagaom, Kerub Khora, Hailwuk, Bamuhowlee, Kandal Khora, Zara Khora.

The Forts of Pertaubgurh, Wassota, Byroogurh, and Prichetgurh, are exceptions to this. These four Forts are to be garrisoned and held by the British Government during its pleasure; but the Lands immediately attached to them, and within the line aforesaid, are to belong to the Rajah.

IV. The whole of the Prant Kurrar, including the following 10 Turruffs, viz :—Oomruz, Targaom, Naneyhole, Tarela, Murlee, Patun, Waroon, Huweelee, Kola, Barsa.

V. The whole of Kuttoo Dis, including the following 12 Turruffs, viz :—Hawelee, Malowree, Wangee, Balownee, Nunsur, Mainee, Lulgoona, Ouna, Eetal, Kurraigaom, Kaleedoen, Kanapore.

VI. The whole of Fulton Dis.

VII. The whole of Maun Dis, including the following 10 Turruffs, viz : Auklooz, Balawnee, Velapore, Muswar, Atparee, Degaom, Durum-pooree, Nazera, Kassagaom, Punderpore.

VIII. The following Turruffs and Villages in the Pergunnah of Beejapore, viz :—Saugola, Gerdee, Brimmapoorhee.

In Mungulchra the whole Village of Koopsangee : and the Rajah having been told that his Frontier should extend from the Kistna and Warna on the South, to the Neera and Beema on the North, and from the Western Gauts or Shyadree Hills on the West to the City of Punderpore on the East, exclusive of Jaggeers, there will be some additional Territory made over to him from the Province of Beejapore, to be hereafter specified, but of which the revenue shall not be less than one lac of rupees.

IX. The following Turruffs and Villages in the Prant Merech, viz :—

1. Kuryat Anjinnee, Village of Bunoor.

2. Kuryat Visapore Umul, and share of 5 Villages, viz : Attay, Audeelee, Nimuluck, Neem, Seergaom.

3. Bellawree Umul, and share in 7 Villages, viz :—Bellawree, Dyaharee, Dooharee, Gagoom, Tooparee, Doodhoendie, Bambouree.

4. Keiry at Kowtah Mahungkul Umul, and shares of 6 Villages, viz :—Nunnee, Bedree, Kawlapore, Shergaom, Mudgaemhee, Nagaom.

5. Astah Umul, and shares of 7 Villages, viz :—Tambulwaree, Doondulwaree, Dhowlee, Sakurday, Yeet Kurree, Malwaree, Pokurnee.

6. Sauglee Umul, and shares in 2 Villages, viz :—Bissoa, Sundowlee.

7. Kuryet Kowtah Yekund Umul, and share of the Village Wusugra.

8. Hewelee Umul, and shares in 3 Villages, viz :—Halnowlee, Alass, Nagaom.

9. Tasgaom Umul, and shares in 4 Villages, viz :—Poonddee, Chinchewee, Paray, Mungrool.

10. Sawarday Umul, and shares in 3 Villages, viz :—Kusba Sawarday, Lowree, Dorlie.

11. Dehsing Village of Kurotee Umul, and share in the following 13 retained Villages, viz :—Nagrally Keittao, Sawulwaree, Tahree,



Kumboojee, Baumre, Nilgee, Tanugi, Tahlee, Sadee, Benapore, Belwaree, Kajapore.

X. The following Turruffs and Villages in the Prant of Panalla, viz :

1. Turruff Walla.
2. Kuryat Bajey Umul, and shares in 4 Villiages, viz :—Bouncha, Pete, Akulcope, Peerawkawtah.
3. Wurgaom Umul, and share of 2 Villages, viz :—Sheegaom, Konygaom.
4. Kodawlee Umul, and share of 2 Villages, viz :—Kurujawray, Chickoonday.
5. Turruff Huwellie, 1 Village, viz : —Koorlup.
6. Kuryal Tulbeer, the whole of the following 5 Villages, viz :—Tulbur, Moonday, Masgaom, Osrul, Kurewlay ; and Umul in the Village of Vellum.
7. Kuryel Kasseegaom, the following 6 Villages, viz :—Kasseegaom, Rehtra Hurwaks, Yeray, Thenowly, Tombway, Malkheer.
8. Kuryat Satwa Umul, in the Village of Mangley.
9. The whole of the Pergunnah of Serata.

XI. The following Turruffs and Villages in the Prant Raecbany.

1. Kuryat Vandhere Umul, and shares in the following 3 Villages, viz :—Koorjeegoam, Monela, Chinchiney, and the Village of Wurreea.

XII. The following Villages in the Prant Nagul.

1. Kuryat Degruz Umul, and shares of 4 Villages, viz :—Dhan-gur Sonee, Boorlee, Kuzbar Degruz, Boregaom.
2. Kuryat Majree Umul, in the Village of Aklee.

XIII. The following Villages in the Prant Hooharee.

1. Kuryat Dadgaom Umul, and share of 3 Villages, viz :—Kushbah Dadgaom, Boregaom Doputt, Burkebey, and the whole of the Kushbah of Saluz.
2. Kuryat Joogul Umul in the Village of Mungawutta.

Together with the Possessions of the Rajah of Akulcote, the Punt Suchew, the Prithee Nidhee, and the Jaggeer of the Duffays, in the Pergunnah of Jhutt.

Such Villages as belong to the Putwurdhuns, within the Boundaries of any of the above-mentioned Pergunnahs, are to be continued to be possessed by them, subject to such exchanges as the British Government may see fit ; and, in like manner, such Villages as are mentioned in this Schedule, and now ceded to the Rajah, which may be situated within the Pergunnahs or Turruffs belonging to the British Government, or the Putwurdhuns, will be liable to such exchanges as the British Government may deem proper for the general convenience of parties concerned.

The Rajah shall have power to make such exchanges with the Rajah of Akulcote, the Punt Suchew, and the Jaggeerdars subject to

his Authority, as may be desirable to the parties concerned, for the purpose of consolidating their respective Possessions, provided that such exchanges be undertaken with the immediate concurrence of the Agent of the British Government.

**No. 13.—TREATY with the Cutch Government, dated 18th October, 1819.**

TREATY of Alliance between the Hon. East India Company and H. H. Maharajah Mirza Rao Sree Dessuljee, his heirs and successors, concluded by Captain James Mac Murdo, on the part of the Hon. Company, and by Jharijees Purthirajjee, Nijerajjee, Meramajee, Pragjee, Mohajee, Allyajee, Nonghunjee, Bhanjee, and Jemuljee, by virtue of Full Powers from their respective Governments.

Whereas a Treaty of Alliance, consisting of thirteen Articles, was concluded on the 16th January, 1816, with two Supplementary Articles, under date 18th June, 1816, between the Hon. East India Company and the Maharajah Rao Bharmuljee, and his Successors. In consequence, however, of the hostile conduct of the said Rao towards the Hon. Company, and his tyranny and oppression to his Bhaut, it has become necessary for the stability of the Alliance between the contracting Parties, to make certain alterations in the above-mentioned Treaty.

I. It is hereby declared, that all Articles of the aforesaid Treaty, which are not modified or superseded by any of the Articles in the present Treaty, shall be considered good and valid.

II. Agreeably to the desire of the Jharijee Bhaut, the Hon. Company agree in declaring Bharmuljee to have forfeited all claims to the Guddee of Cutch, and he is accordingly solemnly deposed. The said Bharmuljee shall reside in Bhooj as a State Prisoner, under a Guard of British Troops, subject, however, to be removed to a place of further security, in the event of his being implicated in any intrigue, the Cutch Government agreeing to pay annually the sum of 36,000 cowries, through the Hon. Company, for the subsistence of the said Bharmuljee.

III. The infant son of the late Rao Bharmuljee having been unanimously elected by the Jharijee Chiefs to succeed to the vacant Throne, he and his legitimate offspring are accordingly acknowledged by the Hon. Company as the lawful Sovereigns of Cutch, under the name and title of Maharajah Merza Rao Dessuljee.

IV. In consequence of the minority of the present Rao Dessul, the Jharijee Bhaut, with the Hon. Company's advice, determines that a Regency shall be formed, with Full Powers to transact the affairs of the Government. The following are chosen as the Members of the said Regency:—Jharijee Nerajjee of Soemri Roha, Jharijee Pruthi-ajjee of Nengercha Rajgore, Odhowjee Sterbhoy, Meta Luckmedas

Ullubjee, Khuttree Ruttonse Jettani, and the British Resident for the time being. These six Persons are entrusted with the executive management of the Government of Cutch; and in order that they may perform the service of the State with effect, the Hon. Company agree to afford the Regency its guarantee, until the Rao completes his twentieth year, when the minority ceases.

V. The Hon. Company engages to guarantee the Power of H. H. the Rao Dessul, his heirs and successors, and the integrity of his Dominions from foreign or domestic enemies.

VI. The Hon. Company at the desire of Rao Shree Dessuljee, and the Jharijee Bhyaut, for the security of the Government of Cutch, agrees to leave a British Force in its Service. For the payment of this Force, Rao Shree Dessuljee and the Jharijee Bhyaut agree that funds shall be appropriated from the revenues of Cutch. The Hon. Company retains to itself the option of reducing or entirely withdrawing its Troops, (and relieving Cutch from the expence), whenever, in the opinion of Government, the efficiency and strength of the Rao's Authority may admit of its being done with safety.

VII. The Money stipulated for in the preceding Article, is to be paid in instalments, each of 4 months; and it is further engaged, that the Regency appointed in the 4th Article shall enter into a separate responsibility for the regular payment of the above kists.

VIII. The Cutch Government engages not to allow any Arabs, Sindees, or other foreign mercenaries, to remain in its Territories, nor generally to entertain any Soldiers, not natives of Cutch, without the consent of the Hon. Company's Government.

IX. The Cutch Government agrees that no Foreign Vessels, American, European, or Asiatic, shall be allowed to import into the Territories of Cutch, arms or military stores. The Hon. Company engages to supply the wants of the Cutch Government in these articles at a fair valuation.

X. The Hon. Company engages to exercise no authority over the domestic concerns of the Rao, or of those of any of the Jharijee Chieftains of the Country. That the Rao, his heirs and successors, shall be absolute Masters of their Territory, and that the civil and criminal jurisdiction of the British Government shall not be introduced therein.

XI. It is clearly understood, that the views of the British Government are limited to the reform and organization of the Military Establishment of the Cutch Government, to the correction of any abuses which may operate oppressively on the Inhabitants, and the limitation of the general expences of the State within its resources.

XII. The Rao, his heirs and successors, engage not to enter into Negotiations with any Chief or State, without the sanction of the

British Government, but their customary amicable correspondence with friends and relations shall continue.

XIII. The Rao, his heirs and successors, engage not to commit aggressions on any Chief or State; and if any disputes with such Chief or State accidentally arise, they are to be submitted for adjustment to the arbitration of the Honourable Company.

XIV. The Rao, his heirs and successors, engage to afford what Military Force they may possess, in aid of the Hon. Company's Government, upon its requisition. This Article, however, is not to be understood as imposing any duties on the Jharjee Bhyaut, contrary to their established customs.

XV. The Cutch Ports shall be open to all British Vessels, in like manner as British Ports shall be free to all Vessels of Cutch, in order that the most friendly intercourse may be carried on between the Governments.

XVI. The British Government, with the approbation of that of Cutch, engages to guarantee, by separate deeds, the Jharjee Chiefs of the Bhyaut, and generally all Rajpoot Chiefs in Cutch and Wagur, in full enjoyment of their Possessions; and further, to extend the same protection to Metta Luckmedass Wullubjee, who, for the welfare of the Cutch Durbar, has acted in concert with the Jharjees, and with great zeal and sincerity.

XVII. His Highness the Rao, his heirs and successors, at the particular instance of the Hon. Company, engage to abolish in their own Family the practice of infanticide. They also engage to join heartily with the Hon. Company in abolishing the custom generally through the Bhyaut of Cutch.

XVIII. Previously to the execution of the Deed of guarantee in favour of the Jharjee Bhyaut, according to the tenour of the 16th Article, a written engagement shall be entered into by them, to abstain from the practice of infanticide; and specifying that, in case any of them do practice it, the guilty person shall submit to a punishment of any kind that may be determined by the Hon. Company's Government and the Cutch Durbar.

XIX. The British Resident, or his Assistant, shall reside in Bhooj, and be treated with appropriate respect by the Government of Cutch.

XX. All supplies *bonâ fide* for the use of the Hon. Company's Troops shall pass through the Rao's Territories free of Radharee Duties.

XXI. It being contrary to the religious principles of the Jharjees and people of Cutch, that cows, bullocks, and peacocks should be killed, the Hon. Company agrees not to permit these animals to be killed in the Territory of Cutch, or to permit in any way, the religion of the Natives to be obstructed.



These 21 Articles are binding to the Rao, his heirs and successors, for ever, and to the Honourable Company.

Done at Bhooj, the 13th October, 1819, A. D.

(Ratified by His Excellency the Governor-General in Council, the 4th day of December, 1819.)

**No. 14.—TREATY with the Arab Tribes, dated the 8th January, 1820.**

**Translation of the General Treaty with the Arab Tribes of the Persian Gulph.**

IN the name of God, the Merciful, the Compassionate: Praise be to God, who hath ordained Peace to be a blessing to his creatures. There is established a lasting Peace between the British Government and the Arab Tribes, who are Parties to the Contract, on the following conditions:—

I. There shall be a cessation of Plunder and Piracy, by Land and Sea, on the part of the Arabs, who are Parties to the Contract, for ever.

II. If any individual of the People of the Arabs contracting, shall attack any that pass by land or sea, of any Nation whatsoever, in the way of Plunder and Piracy, and not of acknowledged War, he shall be accounted an enemy of all mankind, and shall be held to have forfeited both life and goods; and acknowledged War is that which is proclaimed, avowed, and ordered by Government against Government, and the killing of Men and taking of Goods without Proclamation, avowal, and the order of Government, is Plunder and Piracy.

III. The friendly (literally the pacificated) Arabs shall carry by land and sea a red Flag, with or without letters in it at their option; and this shall be in a border of white, the breadth of the white in the border being equal to the breadth of the red, as represented in the margin, the whole forming the Flag known in the British Navy by the title of "White pierced red;" and this shall be the Flag of the friendly Arabs, and they shall use it and no other.

IV. The pacificated Tribes shall all of them continue in their former relations, with the exception that they shall be at peace with the British Government, and shall not fight with each other, and the Flag shall be a symbol of this only, and of nothing further.

V. The Vessels of the friendly Arabs shall all of them have in their possession a Paper (Register) signed with the signature of their Chief, in which shall be the name of the Vessel, its length, its breadth, and how many Karahs it holds; and they shall also have in their possession another Writing (Port Clearance), signed with the signature of their Chief, in which shall be the name of the Owner, the name of the Nachodah, the number of Men, the number of Arms, from whence



sailed, at what time, and to what Port bound; and if a British or other Vessel meets them, they shall produce their register and the clearance.

VI. The friendly Arabs, if they choose, shall send an Envoy to the British Residency in the Persian Gulph, with the necessary accompaniments, and he shall remain there for the transaction of their business; and the Residency and the British Government, if it chooses, shall send an Envoy also to them in like manner, and the Envoy shall add his signature to the signature of the Chief in the Paper (Register) of their Vessels, which contains the length of the Vessel, its breadth and tonnage: the signature of the Envoy to be renewed every year. Also all such Envoys shall be at the expence of their own Party.

VII. If any Tribe or others shall not desist from Plunder and Piracy, the friendly Arabs shall act against them according to their ability and circumstances; and an arrangement for this purpose shall take place between the friendly Arabs and the British, at the time when such Plunder and Piracy shall occur.

VIII. The putting Men to death after they have given up their arms, is an act of Piracy and not of acknowledged War: or if any Tribe shall put to death any Persons, either Mahomedans or others, after they have given up their arms, such Tribe shall be held to have broken the Peace, and the friendly Arabs shall act against them in conjunction with the British; and, God willing, the War against them shall not cease, until the surrender of those who performed the act, and of those who ordered it.

IX. The carrying off of Slaves, men, women, or children, from the Coasts of Africa, or elsewhere, and the transporting them in Vessels, is Plunder and Piracy, and the friendly Arabs shall do nothing of this nature.

X. The Vessels of the friendly Arabs bearing their Flag above described, shall enter into all the British Ports, and into the Ports of the Allies of the British, so far as they shall be able to effect it, and they shall buy and sell therein; and if any shall attack them, the British Government shall take notice of it.

XI. These conditions aforesaid shall be common to all Tribes and Persons who shall hereafter adhere thereto, in the same manner as to those who adhere to them at the time present. End of the Articles.

Issued at Rasul Khyma, in triplicate, at mid-day, on Saturday, the 22d of the month of Rebi-al-Anowal, in the year of the Hejira 1235, (corresponding to the 8th of January, 1820), and signed by the Contracting Parties.

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**No. 15.—TREATY with the Regency of Sawunt Warree, dated the 17th February, 1820.**

ARTICLES of Agreement stipulated and agreed upon between the Hon. East India Company, and the Regency of Sawunt Warree, on the part of Rajah Khaim Sawunt Bhonsla Behauder Sur Dayshaee, of Condaul and its Dependencies :

Settled by Capt. Gideon Hutchinson, in charge of the Political Duties, on the part of the British Government, and by Rajah Khaim Sawunt Bhonsla Behauder, on the part of the Government of Sawunt Warree, by virtue of Full Powers from the British Government, on the one part, and with the concurrence and consent of the Regency of Sawunt Warree, on the other.

I. The British Government, in token of its friendship towards the Sawunt Warree State, and to evince that it demanded the cession of the Ajgaum and Paut Districts, ceded by the Treaty concluded on the 17th February, 1819, for the sole purpose of putting an effectual stop to the depredations committed in the Hon. Company's Territories, by the Subjects of the Sawunt Warree State, does hereby restore to Rajah Khaim Sawunt Bhonsla Behauder, the Ajgaum, and Paut Districts, (with the exception of the Forts of Estwuntgurg (Rairee), and Newtee, and the Villages forming the Line of the Sea Coast), and the undermentioned Villages of the Boordavee District, in perpetuity, viz. the Inland Villages of the Ajgaum District, Ajgaum, Asoolee, Manoos, Urioundy, Tuhoanny, Terrowanny, Keenslay, and Gooldeaway; the Inland Villages of the Paut District, Paut, Tayndoolee, Chandwun, and Kurnuthee; and of the Boordavee District, the Villages Wurros, Kuswun, Wussurgaum, Hussaul, Koonday, Purvay, Kasurrul, and Gauree-warreeturwurdy.

II. It is expressly agreed, and it is stipulated on the part of the Regency, for and on behalf of Rajah Khaim Sawunt Bhonsla Behauder, that no Person of, or belonging to the above-named Places, and others that may be hereafter given, on any account or cause whatsoever, shall be responsible, or punished for any acts committed or done by orders, or sanction, or cognizance of the Honourable Company, prior to the date of their being delivered to the possession of the Sawunt Warree State.

The above Treaty, consisting of two Articles, was agreed to and concluded by Rajah Khaim Sawunt Bhonsla Behauder Sur Dayshaee of Condaul and its Dependencies, with the approval of Nurbudda Bae and Saveetree Bae, at Sawunt Warree, the 17th day of February, 1820, corresponding to Thursday, the third of Rubbelaker, in the year Soorsun Ashreen Meyateenoon Aluph.

*Note.*—The above Treaty was confirmed by the Bombay Government on the 9th March, 1820.

**No. 16.—TREATY with the Ameers of Scind, dated the 9th November 1820.**

TREATY between the Hon. East India Company on the one hand, and the Ameers of Scind on the other.

The British Government and the Government of Scind, having in view to guard against the occurrence of Frontier disputes, and to strengthen the friendship already subsisting between the two States, Meer Ismael Shah was invested with Full Power to treat with the Hon. the Governor of Bombay, and the following Articles were agreed on between the two Parties:—

I. There shall be perpetual Friendship between the British Government, on the one hand, and Meer Kurreen Ali, and Meer Moorad Ali, on the other.

II. Mutual intercourse, by means of Vakeels, shall always continue between the two Governments.

III. The Ameers of Scind engage not to permit any European or American to settle in their dominions. If any of the subjects of either of the two States should establish their residence in the dominions of the other, and should conduct themselves in an orderly and peaceable manner in the Territory to which they may emigrate, they will be allowed to remain in that situation; but if such fugitives shall be guilty of any disturbance or commotion, it will be incumbent on the local authority to take the offenders into custody, and punish, or compel them to quit the Country.

IV. The Ameers of Scind engage to restrain the depredations of the Khosas, and all other tribes and individuals within their limits, and to prevent the occurrence of any inroad into the British Dominions.

Bombay, the 9th November 1820.

*Note.*—The foregoing Treaty was approved by the Supreme Government on the 10th February 1821.

**No. 17.—TREATY with the Imaum of Senna, dated the 15th January 1821.**

THE following Treaty, negotiated by Capt. William Bruce, between H. H. the Imaum of Senna and the British Government, dated the 15th January 1821, is published for general information.

The blockade of the Port of Mocha, and all the other Ports and Places belonging to the Imaum of Senna, in the Arabian Gulph, as announced by the Proclamation, dated the 9th August 1820, terminated on the conclusion of the Treaty in question, viz. the 15th January 1821.



I. That the Resident shall have a guard of the same strength as is allowed at Bagdad, Bussora, and Bushire, of 30 men, to support his respectability.

II. That the Resident shall be exempt from all compliances degrading to the character of the Representative of the British Government. That he shall have full liberty to ride on horseback when and where he pleases—have free ingress and egress to all the gates of Mocha, among others, of Shaik Shadely, from which Europeans have hitherto been excluded for some years past, and shall have all the same liberty and freedom they have at Bushire, Bussora, Bagdad, and Muscat.

III. A piece of ground to be allotted for a Cemetery ; and none of those under the British Government and Flag to be spoken to, or insulted, on account of their religion.

IV. The Resident to have free permission to proceed to Senna, and communicate with H. H. the Imaum, whenever he may deem it necessary to do so, the Dola, on these occasions, furnishing a guard or escort, if it should be deemed requisite.

V. The Anchorage Duty, four hundred German crowns, shall henceforth cease on British ships, which has hitherto been levied on all merchant ships when they landed cargoes. Hereafter no duty on this account shall be paid whether cargo is landed or not, the same as His Majesty's ships and the Honourable Company's vessels of war.

VI. All Subjects of the British Government trading to Mocha, and particularly the Merchants of Surat, shall do so under the protection of the British flag. If of the Islam faith, and wish to settle their disputes according to the Mahomedan Sharah, they shall be at liberty to do so, a person on the part of the Resident attending, and all differences among themselves shall be decided by the Resident : In the event of any of the Imaum's Subjects being concerned in the disputes, by an Agent on the part of the Resident, (or himself, if he pleases), and the Governor conjointly. If the Imaum's subject is wrong, the Governor shall punish him ; if on the contrary, the Resident. Also, that all the dependants of the Factory, of every denomination, from broker downwards, shall be wholly under the protection of the British flag, and controul of the Resident, who shall alone possess the power of punishing them, and redressing all complaints against them.

(This sixth Article has been expressly admitted by separate grant to Capt. Bruce by his Highness the Imaum.)

VII. That the export duty on the British trade shall be hereafter two and a quarter per cent., the same as the French, and not three and a half as hitherto ; and that the import duty shall be the same to the English and all their subjects ; and no more shall be levied than two and a quarter per cent., upon imports and exports.

(This Article is expressly granted by separate firmans from his Highness, as a particular mark of his friendship to the British Nation.)  
Mocha, 15th of January 1821.

Signed and sealed by Meer Fathullah, and all the Members of the Mocha Council, to each separate Article, as also by Capt. Bruce.

**No. 18.—TREATY with the Rajah of Dhar, dated the 18th of December 1821.**

ENGAGEMENT between the Hon. East India Company and Rajah Ramchunder Rao Powar, of Dhar, as follows :—

I. Rajah Ramchunder Rao Powar consents to cede, in perpetuity, to the Hon. Company, the district of Birseah, and the tribute of Allee. (Mohun.)

II. The Hon. Company stipulates, in consideration of these two cessions, to pay annually to Rajah Ramchunder Rao Powar, his heirs and successors, the sum of one lac and ten thousand rupees of the Indore or Oogoin currency.

III. Whereas it was agreed by the 6th Article of the Treaty concluded between the Hon. Company and the State of Dhar, on the 10th January, A. D. 1819, (12th of Rubbee ool awul, 1234 Hejira, and 14th Poos Soodi, 1875 Sumbut), that the District of Birseah should, in compensation of a loan from the British Government to Dhar, of 2 lacs and 50,000 rupees, remain in possession of the British Government for a period of five years, viz. from the 29th March, A. D. 1819, (29th Jemadee oo sanee, 1234 Hejira, and the 15th Chyte Soodi, 1876 Sumbut), till the 29th March, A. D. 1824, (29th Jemadee ool awul, 1239 Hejira, and 15th Chyte Soodi, ending 1880 Sumbut), it is to be understood that that arrangement remains undisturbed by any term of the present engagement; and accordingly the payment by the British Government to Dhar of 1 lac and 10,000 rupees will not commence till after the expiration of the five years aforesaid; that is, till the year 1881 Sumbut.

IV. But as the two cessions aforesaid are virtually made to the British Government from the date of this Engagement, the British Government agrees that, from the date it commences to exercise the rights acquired by the cession of the Allee (Mohun) tribute, it will pay to Dhar at the rate of 10,000 rupees per annum of Indore or Oogoin currency, till the 27th day of March 1824.

V. The annual amount of 1 lac and 10,000 rupees of Indore or Oogoin currency, to be paid by the British Government to Dhar, will be liquidated by two equal instalments of 55,000 rupees each, viz. one in the month of Koowar, and the other in the month of Chyte of each Hindoo year; those for the first year corresponding with August, A. D. 1824, and February, A. D. 1825.

Done at Dhar, this 18th Day of December, in the year of our Lord 1821, (corresponding with the 22d Rubbee ool awul, 1237 Hejira, and the 9th Buddee Marglizu, 1878 Sumbut Bihramjeet.)

(Ratified by the Governor-General in Council at Fort-William, the 26th day of January, 1822.)

**No. 19.—TREATY with the Government of Cutch, dated the 21st May 1822.**

TREATY between the Hon. English East India Company and Maharajah Mirza Rao Sree Dessuljee, his heirs and successors, concluded by Charles Norris, Esq. Resident in Cutch, on the part of the Hon. Company, and by the Sharejee Bhy, and Rijirjee Pragjee of Kotree Mokajee Chandajee Bharrajee, Alyajee Bhanjee Pragjee of Mhowa, Karjajee and Jaymuljee, on the part of the Rao, by virtue of Full Powers from their respective Governments.

I. The British Government and the Government of Cutch, thinking it expedient that the Town and District of Anjar should be transferred to H. H. the Rao of Cutch for a pecuniary equivalent, the Tenth Article in the Treaty of Sumbut 1872 (A. D. 1816) is annulled, and the separate Deed therein alluded to is declared void. The sum of Ahmedabad Sicca rupees 88,000 a year, is agreed to by both Governments, as the amount which is to be paid by the Cutch Government to the Hon. Company, in return for the transfer of the Town and District above mentioned to H. H. the Rao of Cutch, including in the Anjar District the Town of Lakhapore, the separate deed of which is declared void.

II. The Town and District of Anjar will be delivered over to the Cutch Government on the 2d Assur Sood Sumbut, 1879 M. E., corresponding with 20th June 1822, A. D., and the Government of Cutch engages to make good the payment of the sum stipulated every year, by two half-yearly payments, the first of rupees 44,000, on Posh Sood 2d; and the second of rupees 44,000, on Assar Sood 2d: no diminution of the amount of compensation above fixed for the Town and District of Anjar shall ever take place; and the Government of Cutch agrees, that, if it shall not be paid regularly at the periods above specified, good and satisfactory assignments of land in full sovereignty, either the Anjar Talook or other Districts, as may suit the Cutch Government, shall be made to the British Government, for the purpose of realizing the amount which may have become due.

III. Since the establishment of the connection between the two Governments, the British Brigade has been cantoned at the foot of the Hill Fort of Bhooj, which has remained in the hands of the British. The British Government, from an anxiety to restore the Fort to H. H. the Rao, has had the ground in the neighbourhood of Bhooj

examined, with the view of removing the Camp. One spot only has been found suitable for a cantonment: it is situated to the North of the Town, and belongs to Rajpoot Brahmins; and the Government of Cutch being unable to induce the owners voluntarily to surrender this ground, has expressed a wish that the cantonment may remain where it is at present, and the Fort continue in the occupation of the British. To this proposal the British Government agrees, and the Cutch Government engages never to require the British Government to give up the Fort, without obtaining by purchase from the Proprietors the ground above-mentioned, and giving it to the British Government, and indemnifying the British Government for any expence which it may have incurred in repairing the Fort, which expence however is not to exceed the sum of rupees 45,000.

Dated the 1st Jest Sood, Sumbut 1878, corresponding with the 21st May, 1822, A.D.

(Ratified by the Gov.-Gen. in Council at Fort-William, in Bengal, the 5th day of July, 1822.)

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*No. 20.--TREATY with Raghojee Angria of Colaba, July 1822.*

WHEREAS, by the conquest of the Territories of Bajee Rao, the late Peishwah, and the complete extinction of his power, the Rights possessed by his Government are now transferred to that of the Hon. East India Company; and whereas it is desirable to fix with precision the future relations between the said Company and Raghojee Angria: the following Articles have been agreed upon:—

I. The friendly relations which have long subsisted between the Hon. East India Company and the Colaba State are hereby confirmed, and the British Government agrees to afford its protection to the Chieftain of Colaba against the attacks of any other State.

II. Raghojee Angria, in consideration of such protection, engages, on his part, not to employ in his service any Foreigner of any description whatever, whether European or American, nor to allow such Foreigner to reside within his Dominions without the permission of the British Government; and in the event of any such Person arriving within his Dominions, to report the appearance of such Person to the British Government. Neither will he enter into any Treaty of Alliance or Commerce with any of the Native States, but place his sole reliance on the protection and support of the British Government in the enjoyment of his Rights. And, for securing the objects of this stipulation, it is further agreed, that no communication or correspondence shall be holden by the Colaba with any other Potentate or State, without the previous knowledge and sanction of the Hon. Company's Government, but the Colaba State will continue the usual correspondence with the Khan of Junjeera, Suckeer Punt, Umuldars, and



other Umuldars on the border of the Colaba Districts, respecting disputes which arise in the Mehals and Dependencies.

III. The Territories of the Colaba State being intermixed with those of the British Government, and it being desirable that the Possessions of each should be concentrated by exchanges to be made on fair and just principles, it is hereby agreed that such exchanges as may be necessary with a view to the attainment of that object, shall be adjusted by Commissioners, to be nominated for the purpose of settling the Boundaries of the British Government, and those of the Principality of Colaba. And the British Government relying upon the fidelity of Raghojee Angria, and on the sincerity of his acknowledgment of the supremacy of the Hon. Company, hereby guarantees to him, and to his heirs and successors, on the conditions hereafter specified, the integrity of his Dominions, the Boundaries of which will be defined by Commissioners to be appointed in pursuance of the foregoing Provision.

IV. The British Government relinquishes in favour of Raghojee Angria, his heirs and successors, Nuzzar Nuzarans, as received or claimed by the late Peishwah and his successors; but reserves to itself entire Supremacy over the Colaba State, and the right of conferring investiture on the Chief of Colaba on any vacancy of the Musnud. And the said Raghojee Angria hereby engages in behalf of himself, his heirs and successors, to act generally in subordinate co-operation to the British Government.

V. The British Courts of Justice, Laws, and Regulations, shall not be introduced into the Principality of Colaba, against the will of Raghojee Angria, his heirs and successors; but the British Government hereby requires and provides, and the Chieftain aforesaid, on behalf of himself, his heirs and successors, hereby engages for the continuance in possession of all Persons actually holding Enam and Sarunjam Lands, up to the present time, under the Sunnuds of the Peishwah or the Rajah of Sattara.

VI. And whereas the said Raghojee Angria has solicited, (vide A.) that the Hon. Company would guarantee to Venaik Rao Pursuram Deewanjee, and his Associates, certain Villages and Lands, of the value of rupees 15,001, as per annexed list, (vide B.) the whole have been assigned to him, as a reward for his past services, together with a debt due by the State of Colaba to the said Venaik Rao Pursuram Deewanjee (vide C. D. E.) not exceeding rupees 2,28,287 3 18½, and that the said Dewanjee, shall not unjustly be molested by the Cloqaa State. Whereas the Hon. Company's Government has undertaken the aforesaid guarantee to the said Venaik Rao Pursuram Deewanjee, and to his heirs and successors, together with certain other Persons therein mentioned: Raghojee Angria hereby engages, in behalf of himself, his heirs and successors, to make due provision for the payment

of such amount as may appear on investigation to be justly due to the said Venaik Rao Pursuram Deewanjee; and in failure thereof, he further agrees, that the Company shall be at liberty to interfere when occasion renders it necessary, with a view to compel the said Raghojee Angria to place the said debt in a train of liquidation, by allotting specific funds for that purpose: but it is to be understood that, on the discharge of the said debts, any funds which might be allotted to the payment thereof, will revert to the said Raghojee Angria, his heirs and successors, on their former footing. With respect to the above-mentioned debt, such amount as may be ascertained to be justly due shall be paid. In case of any item in the account being objected to by either of the Parties, as to its being of a greater or less amount, in the event of their not being able to come to an amicable private settlement between themselves, the Hon. Company's Government will, on investigation, decide on any such disputed point, and order the Party whose claim may appear just, to receive credit for such ascertained amount. And whereas, certain rights, immunities, and indulgencies, as to fields, salt, batty fields, pâl, &c. now held by the Deewanjee and his Associates, as mentioned in the annexed Memorandum, (vide F.) may be effected by the exchange of Territories, the said Company engages to continue them to the said Deewanjee and his Associates, to be enjoyed on the same footing under the British Government, as before under that of the Colaba State.

VII. All balances shall be adjusted within a reasonable time, and engagements shall be taken to that effect from all Persons in arrear. In default of payment, the Parties shall be given up.

VIII. All guns, stores, and other moveable property in the Forts and Places to be mutually exchanged, are to be removed by the Parties relinquishing the same.

IX. Raghojee Angria hereby agrees, on behalf of himself, his heirs and successors, that in no case whatever shall any asylum be afforded, within the limits of his Possessions, to any public offenders, or to any Persons desirous of escaping from the jurisdiction of the Company's Court of Justice, or from the Authority of the Revenue Officers, or of any other branch of the Authority of the Hon. Company; and he further agrees to deliver up all such Persons, without delay, on application from such Officer or Officers, as the Governor in Council of Bombay shall appoint for the purpose.

X. Raghojee Angria doth hereby engage on his part, and on the part of his heirs and successors, to prohibit the import and export, as well as the transit of Opium, within any part of the Territories of the Colaba State.

XI. And whereas the British Government hath bound itself to protect Raghojee Angria, his heirs and successors, against the attacks of any other State, and to secure to him the quiet possession of the

Territories dependent upon Colaba; and whereas, it is incumbent upon Raghojee Angria and his successors to make permanent provision for the support of Moorajee Angria, now residing on the Island of Bombay, on a stipend of 250 rupees per mensem, allowed to him by the State of Colaba: the said Raghojee Angria hereby engages, on behalf of himself, his heirs and successors, to continue payment of the said stipend of 250 rupees per month to the British Government, as heretofore, for the purpose above stated, whilst the said Moorajee Angria shall conduct himself in a suitable manner towards the Government of Colaba, as now established: if any circumstances shall hereafter give rise to complaints against the said Moorajee Angria by the Colaba Administration for the time being, the British Government reserves to itself the exclusive right of deciding upon the conduct of the said Moorajee Angria, whilst he continues to reside within the British Dominions; and also as to the propriety, or otherwise, of the continuance of his said stipend, of 250 rupees.

XII. Beyond the Boundaries of the Colaba State, as to be fixed by the exchange of Territory, there are several Villages, Umeels, Lands, Wuttuns, and Places belonging to it, both above the Ghauts and below them, in Turuf Nagotua, Talooka, Soodage. These, whatever on inquiry they may appear to be, will, after due deliberation, be continued as heretofore, a detailed Schedule of them being hereafter made out, and annexed to this Treaty.

(Ratified by the Governor-General in Council, at Fort-William in Bengal, the 16th day of August, 1822.)

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*A.—Translation of a Copy of a Letter from Raghojee Angria, of Colaba, to the Hon. M. Elphinstone, at Poona, dated the 27th Jemadee ool awul, or 4th April, 1818, A. D.*

VINAICK PURSURAM, the Deewanjee, having eminently served the State of Colaba, under the Administration of the late Moorajee Angria, and preserved it by maintaining the Alliance with the Hon. Company, when Bajee Rao, subsequently broke with the Hon. Company and commenced hostilities, certain allowances and enams were granted to him, and to those connected with him, as specified in a separate Memorandum, and which are to be enjoyed by the respective Parties, and their heirs, without objection, even though the said Deewanjee should retire from Office. Any claims possessed by him against the State are also to be adjusted by the accounts, and he is to be duly protected by it, whenever occasion may render such protection necessary. I request that the Hon. Company's Government will satisfy him on this point.

**B.—Memorandum of Assignments by the Colaba State to  
Vinaick Pursuram Dewan, and to his Dependants, Anno  
Soor Suman Usur Myanlyn Aluff, (A. D. 1817-18.)**

To Vinaick Pursuram, for himself  
Rs. 10,002.

Villages granted in the district of Mu-  
nickgurgh for Rs. 8,002, viz :

The whole village of Koprolee, in the  
district of Assurwulee, as Enam, the  
batty is fixed at the rate of 16 rupees,  
as per sunnud..... Rupees. 1,000

Villages granted as Nemnook, as per  
sunnud, to the amount of Rs. 7,000,2,  
viz. :

- 1 The village of Oolway
- 1 Ditto.....Furgurh
- 1 Ditto.....Dapolee
- 1 Ditto.....Johur
- 1 Ditto.....Sawlay
- 1 Ditto.....Pirkonay
- 1 Ditto.....Hopur
- 1 A distillery in the district of  
Aoorvulee

—  
8  
—

The amount of which..... Rupees. 7,542

Deduct the amount granted separately,  
viz. :

To Pandoorung Nursurweed.... 200

To his dependents ..... 340

— 540

Balance .....7,002

—  
8,002

Payable from the Treasury in Cash, as  
Nemnook .....

2,000

— 10,002 —

To his dependents, as Nemnook,  
Rs. 426 2 25.

To Bapoojee Bullah. Rs. 1,872.

Villages to the amount of Rs. 1,300 viz.

The Village of Kadhewlee, in the district



Brought forward..... Rupees, 10,002 — —

of Munickgurh, as Enam, as  
per Sunnud ..... 772

The village of Nedhowlee, in  
the district of Munickgurh,  
granted for defraying the  
expences of a palanquin... 528

From the Treasury as Nemnook ..... 572

1,300  
1,872 — —

11,874 — —

To Khandoo Sectaram  
Rs. 1,368. viz.

Enam villages in the district of  
Munickgurh, as per sunnud  
with detail memorandum  
Rs. 360.

The whole village of Put, in  
the district of Doorgatum... 334 1 18½

Five beegars of land in the vil-  
lage of Kambay, within the  
division of Doorgatum, esti-  
mated..... 25 2 81½

From the Treasury, as Nem-  
nook..... 1,008 - -

1,368 — —

To Pandoorring Nursing  
Rs. 580 2 25.

As Enam..... 200 - -

On account of land..... 80 2 25

From the Treasury as Nemnook 300 - -

580 2 25

Amount of Enam villages to be  
given to his dependants of the  
——, but which are  
granted in his own name..... 340 — —

To Baboo Chut, the son of Gun-  
gather Chut Vidheas, from  
the village of Vursnee..... 100 — —

2,388 2 25

To certain Kurkoons and Brah-  
mins, who are his dependents,  
from the Treasury ..... 738 1 75

Rupees, 15,001 — —

RECAPITULATION. The amount			
of villages and lands granted	10,382	2 25	
From the Treasury . . . . .	4,618	1 75	
	<hr/>		15,001 Rupees.

Amounting to Rupees, 15,001, viz.: villages and lands to the amount of rupees, 10,382, two quarters and 25 reas, have been bestowed on him, together with the sum of rupees, 4,618, one quarter, and 75 reas, to be paid in cash from the Treasury, as Nemnook. In conformity with the above Memorandum, the villages and lands, together with the payments to be made in cash, will be continued to be enjoyed by his descendants. Agreed to accordingly.

**C.—Translation of a Letter from Raghojee Angria, of Colaba, to the Right Hon. the Governor, dated the 12th Sharol, 1234 of the Hejira, or August 4, 1819, A. D.**

I BEG to state, that this Government having concluded a settlement of the concerns of Venaik Pursuram Dewanjee, addressed a letter to the Hon. Mountstuart Elphinstone, at Poona, bearing date the 27th Jemadee ool awaul, for the satisfaction of the said Dewanjee, and a copy of the reply, dated the 14th Jemadee ool akhir, (the 11th April 1819), is transmitted to your Excellency.

It is therein suggested, that I should not only make known to Y. E. the amount of the debt, but also (my intention) that the Dewanjee should be secured against molestation from the State of Colaba, on which your Excellency would set his mind at rest; and I have accordingly to request that the Hon. Company's Government will give him that assurance, both in regard to the amount of his debt, for which a memorandum has been granted under my seal (Mortab) as admitted on adjustment, and that no molestation shall be offered to him by the State of Colaba.

**D.—Translation of a Copy of a Letter from the Hon. Mountstuart Elphinstone, to Raghojee Angria, dated 11th April 1819, corresponding with the 14th Jemadee ool Akhir.**

I HAVE received your letter dated the 27th Jemadee ool awaul, (4th April 1818), noticing that Venaik Pursuram, the Dewanjee, having, during the administration of the late Moorajee Angria, been extremely useful, and having preserved the State of Colaba, by maintaining the alliance with the Hon. Company when Bajee Rao subsequently broke with the Hon. Company and commenced hostilities, certain allowances and enams had been granted to him as well as to Bapoojee Bullal, and others connected with him, by the Government of Colaba, as detailed in a separate memorandum which were to be

enjoyed by the respective parties and their heirs unmolested, even though the said Dewanjee should no longer act in the administration; that his claims against the State should be satisfied according to what might appear to be justly due, and that he should be protected by it whensoever occasion might render such protection necessary; requesting, at the same time, that the Hon. Company's Government would satisfy him on these points. In consequence of this application I have affixed my signature as guarantee to the memorandum of the enams and allowances granted to him and to his dependents, which was transmitted under your Mortab, (Seal), amounting to rupees, 15,001; but as you have omitted to state the amount of the debt, and confined yourself to a declaration, that protection would be extended to his concerns, I am unable, under such general expressions, to satisfy him on this point; I therefore request that you will communicate the amount of your debt to the Right Hon. Sir Evan Nepean, Bart., who will not only satisfy him in this respect, but also that he will not be subjected to any unmerited harsh treatment from the State of Colaba.

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*E.—Translation of a Memorandum of the bonâ fide Debts contracted through the medium of Venaik Pusuram Dewan, Anno Soor Sun Esrun Neyantyn Onlief (A. D. 1819-20.)*

AFTER the examination, the accounts shew balance due by Government, from the commencement up to the 11th of Shabaun, being the termination of the year Sitar Usar 12th Jestood 1741, (5th June 1819,) to be Poonah Chandore, rupees 2,28,287 3 18½, which sum of Poona Chandore rupees, as due to the above-named, up to the end of the year Sita Usur, (5th June 1819), it is agreed to pay, with such interest as may become due, at the rate of one per cent. per month, together with a premium (munstee) of two per cent. per annum payable at once.

Dated Colaba, the 10th Shawul, Anno Soor Sun Esreen, in the month of Shravon (2d August 1821.)

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*F.—Memorandum from Pursuram Sheedhur, at Aptey, year Ehidi Esreen Myantyn Ouluf (A. D. 1820-21.)*

For many years I and my family have enjoyed privileges which were granted to us by Angria, in the villages under Manickgurh: when therefore our exchange of Territory shall take place, I trust that on Angria's inserting an Article providing for the continuance of my privileges, the Hon. Company will be pleased to cherish me and my family agreeably to what will remain to be given in exchange.

I. I enjoy the Vet Begar (labour) and firfirmas (presents of fowls and fruit, &c.) of the village of Johey Turruff Humrapore, in the Kur-nata district, which belong to both States, &c.

- A. As the Government Karaj (hay and wood) required for the Fort, and also the vet (labour) have been given to me, I take four weeks labour from each man annually.
- B. It is the custom to receive 2 fowls every year from each house.
- C. It is the custom to receive 2 pumpkins every year from each house.
- D. It is the custom to receive 10 loads of saj (hay) from each person, in order to watch the house.
- E. For the Junum Ustauree, in the month of Siaran, there may be about 6 or 7 pots of butter-milk, and it is the custom to receive half a rupee as the price of each pot.
2. I enjoy a kowl (lease) and exemption concerning the augde kharee (salt batty ground, whose rent is paid in money), and migdi cegah oathanlee (sweet batty fields, whose rent is paid in money,) for their embankment. As I laid out expences in embanking them, an indulgence has been allowed in the rent, and an exemption from house and buffalo tax. Vet begar (labour) and firfirmars (presents of fowls, fruits, &c.) has been granted to the people for keeping in order the salt batty ground, and fields and gardens.
3. We enjoy goora wareys (sheds for cattle) and pasturage lands.

*No. 21.—TREATY with the Nizam, dated the 12th of December, 1822.*

TREATY between the Hon. East India Company and H. H. the Subadar of the Deccan, and his Children, heirs and successors, for the further confirmation of friendship and unity of interests, concluded through the Agency of Charles Theophilus Metcalfe, Esq. Resident at the Court of his said H. by virtue of Full Powers to that effect vested in him by H. Ex. The Most Noble Francis Marquess of Hastings, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Hon. Order of the Bath, one of His Britannic Majesty's Most Hon. Privy Council, Gov. Gen. in Council, appointed by the Hon. the Court of Directors of the said Hon. Company, to direct and controul all their Affairs in the East Indies, and Commander-in-Chief of His Majesty's and the Hon. Company's Forces.

Whereas certain Rights, Forts, and Territories have come into the possession of the Hon. East India Company from the States of Nagpore and Holkar, and in consequence of the reduction and occupation of the Dominions of the Peishwah, the following Articles of Agreement for the Settlement of the said Rights, Forts and Territories, have been concluded by the said Hon. Company and his said Highness the Subadar of the Deccan :

- I. All former Treaties and Engagements between the two States



now in force, and not contrary to the tenour of this Treaty, shall be confirmed by it.

II. The arrears of all claims and demands of choute, and of all other claims whatever on the Territories or Government of His Highness the Nizam, due by his said Highness to the Peishwah, are hereby declared to be extinguished, and his said Highness is released, in perpetuity, from the payment of all choute of every description, on account of any part of his Possessions.

III. His Highness the Nizam being desirous of possessing certain of the Districts acquired by the War, on account of their situation within the exterior line of His Highness's Frontier, the following exchanges of Territory are hereby agreed upon, for His Highness's benefit, and the mutual convenience of the Contracting Parties.

IV. The Districts formerly belonging to the Peishwah, as specified in the Schedule A, herewith annexed, and estimated at the annual sum of rupees 5,69,275 8 are hereby transferred in perpetual sovereignty to His Highness the Nizam.

V. The Districts formerly belonging to the Rajah of Nagpore, according to the Schedule B, hereunto annexed, and estimated at the annual sum of rupees 3,13,743, 8 together with the Forts of Gawilgurg and Narnulla, and the range of hills on which they are situated, shall belong in perpetual sovereignty to his said Highness.

VI. The Districts of Umber and Ellora, formerly belonging to Maharajah Mulhar Rao Holkar, and estimated at the annual sum of rupees, 1,89,373, shall also belong in perpetual sovereignty to his said Highness.

VII. H. H. the Nizam, on his part, hereby cedes to the Hon. Company, in perpetual sovereignty, the whole of his rights and Possessions situated on the West or Right bank of the River Seena, according to the Schedule C, hereunto annexed, and also the whole of his rights and Possessions situated within the District of Ahmednuggur, as detailed in the said Schedule, the whole being estimated at the annual sum of rupees 4,31,785, 3½.

VIII. H. H. the Nizam also cedes, for the purpose of their being transferred in perpetual sovereignty to the Rajah of Nagpore, the whole of his participated rights and Possessions, situated on the East or Left bank of the river Wurda, according to the Schedule D, annexed to the present Treaty, and estimated to produce an annual revenue of rupees 75,000.

IX. Certain assignments of choute within the Territory of H. H. the Nizam, to the estimated annual amount of rupees one lac and twenty thousand, having been guaranteed to Appa Dessaye and the Putwurdhuns, H. H. the Nizam hereby agrees to pay the aforesaid sum annually to the Hon. East India Company in perpetuity.

X. H. H. the Nizam also engages to confirm and continue all enams and wurspasuns, and all individual and charitable allowances of every description whatever, which may have been granted either on the choute payable by H. H. to the Peishwah, or on any portion of the Districts formerly belonging to the Peishwah, and now acquired by his said H, under the 4th Article of the present Treaty, provided these grants shall have been in force at the breaking out of hostilities with the Peishwah, in the month of November, 1817, and that the holders of them shall have performed the conditions prescribed in Mr. Elphinstone's Proclamation, dated the 11th February, 1818.

XI. This Treaty, consisting of 11 Articles, having been this day settled by Charles Theophilus Metcalfe, Esq. with the Nawaub Asoph Jah Behauder, one Copy thereof has been delivered to the said Nawaub, and the Nawaub on his part has delivered one Copy of the same, duly executed by himself, to the aforesaid Gentleman, who engages to procure and deliver to H. H. a Copy of the same from H. E. the Gov.-Gen. in every respect the counterpart of this executed by himself, after which the Copy executed by the aforesaid Gentleman shall be returned.

Signed, sealed and exchanged at Hyderabad, the 12th December, A. D. 1822, 27th Rubbee Ool Awul A. H. 1238.

(Ratified by the Gov.-Gen. in Council, at Fort William, in Bengal, the 31st day of December, 1822.)

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**A.—Schedule of the Districts formerly belonging to the Peishwah, and now transferred by the fourth Article of the annexed Treaty to His Highness the Nizam.**

Oomurkhair, Iulgaum, Wyezapore Sheoraj, Untoor Sheoraj, 22 Villages of Talook Rakisban Sheoraj, Dhabarry Sheoraj, Detached Villages, Sherolee Peer, Hirpoor Talookhar, Ghat Nandoor, Sundry Villages,—Total, Rs. 5,69,275 8.

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**B.—Schedule of the District formerly belonging to the Rajah of Nagpore, and now transferred by the fifth Article of the annexed Treaty to His Highness the Nizam.**

Akrat, Argaum, Wurmair, Bhateooly, Kirt Kall, Rs. 3,25,000 8.  
Deduct the revenue of Moongaum held by Srudhur  
Pundit Jeswunt Rao Ramchunder - - - 11,257 0.  
Half of the Village of Belkhaira held by Jeswunt  
Rao Ramchunder.

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Total Rupees. 3,13,743 8

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*C.—Schedule of the Rights and Possessions of H. H. the Nizam, situated on the West or Right Bank of the River Seena, and within the District of Ahmednuggur, the whole of which are now transferred by the seventh Article of the annexed Treaty of the Honourable Company.*

WEST OF THE SEENA,

*In the Pergunnah of Mohul Circar of Purainda:* The Kusbeh, &c. Koorwullee, &c. Phool Chonechoolee, Wurwul, &c. Ram Hignee.

*In the Pergunnah of Rascen, Circar of Ahmednuggur:* Koor-tee, &c.

*In the Pergunnah of Pandia Pairgaum Circar of Ahmednuggur:* Saweergaum, &c. Mentoghaum, Siraul, &c. Loonee, &c.

*In the Pergunnah of Waugee Circar of Purainda:* Luhwa, Kusbeh, &c. Kunder, Hitnowra.

*In the Pergunnah of Mundroop Circar of Solapore:* Mundroop, &c. Meereee, &c.

*In the Pergunnah of Taimboornee Circar of Purainda:* Ahola &c. Wuralee, Hutagaum, Kusbeh of Teimbhornee.

*In the Pergunnah of Kurrywally Circar of Ahmednuggur:* Kusbeh of Kandney, Kurmullas, Pargaum, &c. Amba Julgaum, &c. Sogaum, &c. Maradgaum, &c.

*In the Pergunnah of Burdole Circar and Soubah of Bejapore:* Tanklee, &c. Juggeerunnee, &c. Churchan, &c. Part of the Village of Nandra, Codree, Choute and other Ubwaubs granted to the Puturdhuns.

*In the Pergunnah of Oondergaum Circar of Purainda:* Marra, &c.

*In the Pergunnah and Circar of Purainda:* Koordee, and 19 other Villages, Oopha, Badloonee, and 11 other Villages. Papness, within the District of Ahmednuggur.

*In the Pergunnah of Kurwah:* Adulgaum, Kolegaum.

*In the Pergunnah of Samkhair:* Kurdlah, Samkhair, Loney, Pimpulgaum, Sonogaum, Sountarry, attached to the Fort of Purainda. D'hurrangaum.

*In the Turruff of Ranjugaum:* Angurgh, Rhawsee.

*In the Talookah of Kaim:* Kaim, Nimbarry.

*In the Talook of Ahmednuggur:* Kohrgaum, Muddergaum, Maudway, Pangaum Kolha, Balwarry.

*In the Pergunnah of Pungree:* Rhatamray, Chickrout.

*In the Circar of Sungunnair:* Rahtoy.

*In the Pergunnah of Nawassa:* Sallabutpore, Berhampore, Hingangaum, Chanday, Lohorwarry, Danghaum, Morgahan, Ballyponduree, Neembyaum, Prouh Sungum, Pathwully, Konneh Seugway, Soolhampore, Kurmore, Koontapher, Tondoolee, Sallut Wurgong,

Dewallany, Wauhhree, Mulwarry, Nimbay, Purkurgaum, Khaulday  
Khadley, Annulnair.

Total within the District of Ahmednuggur,  
and on the West Bank of the River Seena - - - Rupees. 431,785 3½.

*D.—Schedule of the participated Rights and Possessions of  
H. H. the Nizam, situated on the East or Left Bank of the  
River Wurda, now ceded by his said Highness, according  
to the 8th Article of the annexed Treaty, for the purpose  
of being transferred to the Rajah of Nagpore.*

In the Pergunnah of Anvee, Circar of Gaweeb	}	Total,
In the Pergunnah of Ashtee, Circar of Gaweeb		Rupees
In the Pergunnah of Annair, Circar of Cairla		75,000.

*No. 22.—TREATY with Serowee, 31st October, 1823.*

TREATY between the Hon. the English East India Company and Rao Sheo Singh, Regent of Serowee, concluded by Captain Alexander Spiers, Agent at Serowee, on the part of the Hon. Company, by order of Major-Gen. Sir David Ochterlony, Bart. and G. C. B., Resident in Malwa and Rajpootana, in virtue of Full Powers granted by the Right Hon. William Pitt, Lord Amherst, Gov.-Gen. in Council, and on his own part by Rao Sheo Singh, of Serowee.

Whereas, at this time Rao Sheo Singh, the Regent of Serowee, and Representative of the Rulers of that Principality, has solicited that the protection of the British Government may be extended to his Country, and the British Government is satisfied that the State of Serowee, is not politically dependent on any of the other Princes or Chiefs of Rajpootana, the request of the Rao has been complied with; and the following Articles have been agreed upon as a lasting Engagement to define the relations between the Parties, and to determine the terms and conditions of the Alliance which will be adhered to by both Governments as long as the sun and moon shall endure.

I. The British Government consents to take under its protection, and to receive amongst the number of its dependent and tributary States, the Chiefship and Territory of Serowee.

II. The Regent, Rao Sheo Singh, on his own behalf and in the name of the Rao, his heirs and successors, hereby acknowledges the supremacy of the British Government, and engages to discharge with fidelity the duties of allegiance, and to observe punctually the other conditions detailed in this Engagement.

III. The Rao of Serowee, will not form or maintain connections with any other States or Chiefs. He will not commit aggressions on any one. If by accident disputes arise with a neighbour they shall be submitted to the arbitration and decision of the British Government.



That Government undertakes also to arbitrate and adjust any claims which may be possessed or advanced by other States upon Serowee, or *vice versâ*, whether for Lands, Service-money, Contributions or otherwise.

IV. The jurisdiction of the British Government shall not be introduced into the Territories of Serowee, but the Rulers thereof shall at all times attend to the advice of the Officer of the British Government in the administration of their affairs, and act in conformity thereto.

V. The Territory of Serowee having at this time become a perfect desert in consequence of intestine divisions, the disorderly conduct of the evil disposed portion of its inhabitants, and the incursions of predatory tribes; the Regent hereby expressly and specially engages to follow the counsel of the British Authorities in all his proceedings for the restoration of the prosperity of the Country, and the introduction of good order and regularity. The Regent likewise promises that he will use his most strenuous exertions, both now and hereafter, for the improvement of the Country, the suppression of robbery and theft, and the due and efficient administration of justice to all his Subjects.

VI. If any of the Sirdars and Thakoors of Serowee shall commit offences, or be guilty of disobedience, the same shall be punished by fine or confiscation of Lands, or such other inflictions as may be in each case determined on, in concert and concurrence with the Officers of the British Government.

VII. All classes in Serowee, Nobles and Peasants, having with one voice declared that Rao Oodelaun, the former Ruler, was justly deposed and thrown into confinement with the approbation of all the Sirdars and Thakoors, on account of tyranny and oppression to his Subjects, and the Rao Sheo Singh, being by all Parties admitted to be the proper successor, the British Government will recognize the Rao Sheo Singh, as Regent of the State during the time of his natural life, but after his decease should there be any lawful heirs of Rao Oodelaun they will succeed to the Principality.

VIII. The State of Serowee shall pay such tribute to the British Government, to defray the expences incurred by undertaking its protection, as may be determined on at the expiration of 3 years, from the date of the Engagement, provided, however, that the amount thereof shall not exceed three eighths, or six annas of the annual revenues of the Country.

IX. With the view to the encouragement of trade, and the promotion of the general welfare of the Community, it shall be competent to the Officers of the British Government, to recommend such rates for the collection of customs within the limits of the Serowee Territory, as may on further experience be judged expedient, and to interfere from time to time to enforce or amend the same.

X. When any Detachment of British Troops shall be employed in

or near Serowee, the Rao will, in the due discharge of his duty to the British Government, provide the same with all the needful supplies, without charging any duty thereon. The Commanding-Officer of such Force will, on his part, use his best endeavours for the protection from injury of the crops and corn fields; and should it meet the views of the British Government, to canton a Force in Serowee, it shall be optional with it to do so, and no dissatisfaction with the arrangement will be felt on the part of the Rao. So also, should it be found necessary hereafter to raise for the service of the State of Serowee, a corps to be officered and disciplined by Europeans, the Rao engages to adopt that measure to the extent of his means, on the recommendation of the British Government, a liberal regard being had to the amount paid by him as tribute. The Militia actually entertained by the Rao will be at all times ready to act in subordinate co-operation with the Officers of the British Government.

Ratified by the Right Hon. the Gov.-Gen. in Council, at Fort-William, in Bengal, this 31st day of October, A. D. 1823.

JOHN FENDALL.

AMHERST.

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*No. 23.—TREATY concluded between David Scott, Esq. Agent to the Gov.-Gen. on the part of the Hon. East India Company, and Rajah Ram Sing, Ruler of Jy-Jynteepoore or Jyntah.*

I. RAJAH Ram Sing acknowledges allegiance to the Hon. Company, and places his Country of Jyntah under their protection. Mutual Friendship and Amity shall always be maintained between the Hon Company and the Rajah.

II. The internal Government of the Country shall be conducted by the Rajah, and the jurisdiction of the British Courts of Justice shall not extend there. The Rajah will always attend to the welfare of his Subjects, and observe the ancient customs of Government; but should any unforeseen abuse arise in the administration of affairs, he agrees to rectify the same agreeably to the advice of the Gov.-Gen. in Council.

III. The Hon. Company engages to protect the Territory of Jyntah from external enemies, and to arbitrate any differences that may arise between the Rajah and other States. The Rajah agrees to abide by such arbitration, and to hold no political correspondence or communication with Foreign Powers, except with the consent of the British Government.

IV. In the event of the Hon. Company being engaged in war to the eastward of the Burhampootur, the Rajah engages to assist with all his Forces, and to afford every other facility in his power in furtherance of such military operations.

V. The Rajah agrees, in concert with the British Local Authorities, to adopt all measures that may be necessary for the maintenance in the District of Sylhet, of the arrangements in force in the Judicial, Opium, and Salt Departments.

Executed this 10th of March 1824, corresponding with the 28th of Fagoon 1230, B. S. at Rajahgunge.

D. SCOTT, Agent to the Governor-General.

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*Separate Article of the Treaty concluded between the Hon. Company and Rajah Ram Sing, of Jyntah.*

RAJAH Ram Sing engages, that to assist in the war commenced in Assam between the Hon. Company's Troops and those of The King of Ava, he will march a Force and attack the enemy to the East of Gowahatty, and the Hon. Company agrees, upon the conquest of Assam, to confer upon the Rajah a part of that Territory proportionate to the extent of his exertions in the common Cause.

D. SCOTT, Agent to the Governor-General.

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*No. 24.—TREATY concluded between David Scott, Esq. Agent to the Gov.-Gen. on the part of the Hon. East India Company, and Rajah Govind Chunder Naryn, of Cachar, or Herumba.*

I. RAJAH GOVIND CHUNDER, for himself and his successors, acknowledges allegiance to the Hon. Company, and places his Country of Cachar, or Herumba, under their protection.

II. The internal Government of the Country shall be conducted by the Rajah, and the jurisdiction of the British Courts of Justice shall not extend there, but the Rajah agrees to attend at all times to the advice offered for the welfare of his Subjects by the Gov.-Gen. in Council, and agreeably thereto, to rectify any abuses that may arise in the administration of affairs.

III. The Hon. Company engages to protect the Territory of Cachar from external enemies, and to arbitrate any differences that may arise between the Rajah and other States. The Rajah agrees to abide by such arbitration, and to hold no Correspondence or Communication with Foreign Powers, except through the channel of the British Government.

IV. In consideration of the aid promised by the above Article and other circumstances, the Rajah agrees to pay to the Hon. Company from the beginning of the year 1232, B. S., an annual tribute of 10,000 Sicca Rupees, and the Hon. Company engages to provide for the maintenance of the Munipoorean Chiefs lately occupying Cachar.

V. If the Rajah should fail in the performance of the above Article, the Hon. Company will be at liberty to occupy and attach, in per-

petuity to their other Possessions, a sufficient tract of the Cachar Country to provide for the future realization of the Tribute.

VI. The Rajah agrees, in concert with the British Local Authorities, to adopt all measures that may be necessary for the maintenance in the District of Sylhet, of the arrangements in force in the Police, Opium and Salt departments.

Executed at Budderpore, this 6th day of March 1824, corresponding with the 24th of Fagoan 1230, B. S.

D. SCOTT, Agent to the Governor-General.

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**BRITISH ORDER in COUNCIL, prohibiting the Exportation of Gunpowder or Saltpetre, or Arms, or Ammunition, to the Coast of Africa.**

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*At the Court at Carlton House, the 23d. of March. 1825.*

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS the time limited by His Majesty's Order in Council, of the 14th of August last, for prohibiting the exportation of Gunpowder or Saltpetre, or any sort of Arms or Ammunition, to any Port or Place on the Coast of Africa (except to any Ports or Places within the Streights of Gibraltar), has expired; and whereas it is judged expedient that the said prohibition should be continued for some time longer, His Majesty, by and with the advice of His Privy Council, doth therefore hereby order, require, prohibit, and command, that no Person or Persons whatsoever (except the Master-General of the Ordnance for His Majesty's Service), do, at any time during the space of six months (to commence from the date of this Order), presume to transport any Gunpowder or Saltpetre, or any sort of Arms or Ammunition, to any Port or Place on the Coast of Africa (except to any Ports or Places within the Streights of Gibraltar) or ship or lade any Gunpowder or Saltpetre, or any sort of Arms or Ammunition, on board any Ship or Vessel, in order to transporting the same into any such Ports or Places on the Coast of Africa (except as above excepted), without leave or permission in that behalf, first obtained from His Majesty or His Privy Council, upon pain of incurring and suffering the respective forfeitures and penalties inflicted by an Act, passed in the 29th Year of the Reign of His Majesty King George the Second, (cap. 16.) intituled "An Act to empower His Majesty to prohibit the exportation of  
" Gunpowder, or any sort of Arms or Ammunition, and also to empower His Majesty to restrain the carrying Coastwise of Saltpetre,  
" Gunpowder, or any sort of Arms or Ammunition;" and also by an Act, passed in the 33d Year of His late Majesty's Reign, cap. 2, intituled "An Act to enable His Majesty to restrain the exportation of



“ Naval Stores, and more effectually to prevent the exportation of  
“ Saltpetre, Arms and Ammunition, when prohibited by Proclamation  
“ or Order in Council.”

And The Right Honourable The Lords Commissioners of His Majesty's Treasury, the Commissioners for executing the Office of Lord High Admiral of Great Britain, the Lord Warden of the Cinque Ports, the Master-General and the rest of the Principal Officers of the Ordnance, and His Majesty's Secretary at War, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

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**BRITISH ORDER in COUNCIL, regulating the Duties on  
the Vessels of Mecklenburgh Schwerin, and their cargoes, in  
British Ports.**

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*At the Court at Carlton-House, the 14th of June, 1825.*

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS by an Act, passed in the 4th year of His present Majesty's Reign, (cap. 77.) intituled “An Act to authorise His Majesty, “ under certain circumstances, to regulate the Duties and Drawbacks “ on goods imported or exported in Foreign Vessels, and to exempt “ certain Foreign Vessels from Pilotage,” His Majesty is authorised, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council, to be published from time to time in the London Gazette, to authorise the importation into or exportation from The United Kingdom, or from any other of His Majesty's Dominions, of any goods, wares, or merchandise which may be legally imported or exported in Foreign Vessels, upon payment of such and the like duties only, and with the like drawbacks, bounties, and allowances as are charged or granted upon similar goods, wares, or merchandise when imported or exported in British Vessels; provided always, that before any such Order or Orders shall be issued, satisfactory proof shall have been laid before His Majesty and His Privy Council, that goods, wares, and merchandise imported into or exported from the Foreign Country in whose favour such remission of duties, or such drawbacks, bounties, or allowances shall be granted, are charged with the same duties, and are allowed the same drawbacks, bounties, or allowances when imported into or exported from such Foreign Country in British Vessels, as are levied or allowed on similar goods, wares, and merchandise when imported or exported in Vessels of such Country: And whereas by an Act, passed in the 5th year of His present Majesty's Reign, (cap. 1.) intituled “An Act to indemnify all Persons “ concerned in advising, issuing, or acting under a certain Order in

“ Council, for regulating the tonnage duties on certain Foreign Vessels; and to amend an Act of the 4th year of His present Majesty’s Reign, for authorising His Majesty, under certain circumstances, to regulate the duties and drawbacks on goods imported or exported in any Foreign Vessels,” His Majesty is authorised (in certain cases), by and with the Advice of His Privy Council, or by His Majesty’s Order or Orders in Council, to be published from time to time in the London Gazette, to permit and authorise the entry into any Port or Ports of the United Kingdom of Great Britain and Ireland, or of any other of His Majesty’s Dominions, of any Foreign Vessels, upon payment of such and the like duties of tonnage only as are or may be charged or granted upon or in respect of British Vessels: And whereas satisfactory proof has been laid before His Majesty and His Privy Council, that goods, wares, and merchandise imported into or exported from the Ports of His Royal Highness the Grand Duke of Mecklenburgh Schwerin, are charged with the same duties, and are allowed the same drawbacks, bounties, or allowances, when imported or exported in British Vessels, as are levied or allowed on similar goods, wares, and merchandise when imported into or exported from the said Ports in Mecklenburgh Vessels; and that British Vessels are charged with no other or higher tonnage duties on their entrance into the Ports of Mecklenburgh, than are levied on Mecklenburgh Vessels; His Majesty, by virtue of the Powers vested in Him by the Acts above recited, and by and with the Advice of His Privy Council, is pleased to order, and it is hereby ordered, that, from and after the date of this Order, Mecklenburgh Vessels entering the Ports of the United Kingdom of Great Britain and Ireland, in ballast or laden, direct from any of the Ports of Mecklenburgh, or departing from the Ports of the said United Kingdom, together with the cargoes on board the same, such cargoes consisting of articles which may be legally imported or exported, shall not be subject to any other or higher duties or charges whatever, than are or shall be levied on British Vessels entering or departing from such Ports, or on similar articles when imported into or exported from such Ports in British Vessels; and also that such articles, when exported from the said Ports in Mecklenburgh Vessels, shall be entitled to the same bounties, drawbacks, and allowances that are granted on similar articles when exported in British Vessels:

And The Right Hon. the Lords Commissioners of His Majesty’s Treasury are to give the necessary directions herein accordingly.

JAS. BULLER.

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*PROCLAMATION of The King of Great Britain, prohibiting British Subjects from taking part in the Contest between The Ottoman Porte and the Greeks, or between other Belligerents. (30 September 1825.)*

GEORGE R.

WHEREAS, His Majesty being at Peace with all the Powers and States of Europe and America, has repeatedly declared His Royal determination to maintain a strict and impartial neutrality in the different Contests in which certain of those Powers and States are engaged :

And whereas the commission of acts of hostility by individual Subjects of His Majesty against any Power or State, or against the Persons and Properties of the Subjects of any Power or State, which being at Peace with His Majesty is at the same time engaged in a Contest, with respect to which His Majesty has declared His determination to be neutral, is calculated to bring into question the sincerity of His Majesty's declarations :

And whereas if His Majesty's Subjects cannot be effectually restrained from such unwarranted commission of acts of hostility, it may be justly apprehended that the Governments aggrieved thereby might be unable, on their part, to restrain their Subjects from committing acts of violence upon the Persons and Property of unoffending Subjects of His Majesty :

And whereas The Ottoman Porte, a Power at Peace with His Majesty, is and has been for some years past engaged in a Contest with the Greeks, in which Contest His Majesty has observed a strict and impartial neutrality :

And whereas great numbers of His Majesty's loyal Subjects reside and carry on a beneficial commerce, and possess establishments, and enjoy privileges within the Dominions of The Ottoman Porte, protected by the faith of Treaties between His Majesty and that Power :

And whereas His Majesty has received recent and undoubted information, that attempts are now making to induce certain of His Majesty's Subjects to fit out Ships of War and Privateers in the Ports of His Majesty's Kingdom, and to embark therein, for the purpose of carrying on, under the Greek Flag, hostile operations against the Ottoman Government, of capturing and destroying Turkish Ships and Property, and of committing depredations on the Coasts of the Turkish Dominions.

And whereas, such hostile operations would be directly contrary to the provisions of the Act, passed in the 59th year of the Reign of His late Majesty, [Cap. 63.] intituled " An Act to prevent the enlisting or " engagement of His Majesty's Subjects to serve in Foreign Service,

“ and the fitting out or equipping, in His Majesty’s Dominions, Vessels “ for warlike purposes, without His Majesty’s licence,” in which it is, amongst other things, enacted, “ that if any natural born Subject of His Majesty, His Heirs, and Successors, without the leave or licence of His Majesty, His Heirs, or Successors, for that purpose first had and obtained under the sign manual of His Majesty, His Heirs, or Successors, or signified by Order in Council, or by Proclamation of His Majesty, His Heirs, or Successors, shall take or accept, or shall agree to take or accept, any military commission, or shall otherwise enter into the military service as a commissioned or non-commissioned Officer, or shall enlist or enter himself to enlist, or shall agree to enlist or to enter himself to serve as a Soldier, or to be employed, or shall serve in any warlike or military operation in the service of, or for, or under, or in aid of any Foreign Prince, State, Potentate, Colony, Province, or part of any Province or People, or of any Person or Persons exercising, or assuming to exercise, the Powers of Government, in or over any Foreign Country, Colony, Province, or part of any Province or People, either as an Officer or Soldier, or in any other military capacity ; or if any natural born Subject of His Majesty shall, without such leave or licence as aforesaid, accept, or agree to take or accept, any commission, warrant, or appointment as an Officer, or shall enlist or enter himself, or shall agree to enlist or enter himself to serve as a Sailor or Marine, or to be employed or engaged, or shall serve in and on board any Ship or Vessel of War, or in and on board any Ship or Vessel used, or fitted out, or equipped, or intended to be used for any warlike purpose in the the service of, or for, or under, or in aid of any Foreign Power, Prince, State, Potentate, Colony, Province, or part of any Province or People, or of any Person or Persons exercising, or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or part of any Province or People ; or if any natural born Subject of His Majesty shall, without such leave and licence as aforesaid, engage, contract, or agree to go, or shall go to any Foreign State, Country, Colony, Province, or part of any Province, or to any Place beyond the Seas, with an intent, or in order to enlist or enter himself to serve, or with intent to serve, in any warlike or military operation whatever, whether by Land or by Sea, in the service of, or for, or under, or in aid of, any Foreign Prince, State, Potentate, Colony, Province, or part of any Province or People, or in the service of, or for, or under, or in aid of, any Person or Persons exercising, or assuming to exercise, the Powers of Government in or over any Foreign Country, Colony, Province, or part of any Province or People, either as an Officer or a Soldier, or in any other military capacity, or as an Officer, or Sailor, or Marine, in any such Ship or Vessel as aforesaid, although no enlisting money, or pay, or reward shall have been, or shall be, in any or either of the Cases aforesaid, actually paid to, or re-



ceived by, him, or by any Person to or for his use or benefit; or if any Person whatever within the United Kingdom of Great Britain and Ireland, or in any part of His Majesty's Dominions elsewhere, or in any Country, Colony, Settlement, Island, or Place belonging to or subject to His Majesty, shall hire, retain, engage, or procure, or shall attempt, or endeavour to hire, retain, engage, or procure any Person or Persons whatever to enlist, or to enter, or engage to enlist, or to serve, or to be employed in any such service or employment as aforesaid, as an Officer, Soldier, Sailor, or Marine, either in Land or Sea Service, for, or under, or in aid of, any Foreign Prince, State, Potentate, Colony, Province, or part of any Province or People, or for, or under, or in aid of, any Person or Persons exercising or assuming to exercise, any Powers of Government as aforesaid, or to go, or to agree to go, or embark from any part of His Majesty's Dominions for the purpose or with the intent to be so enlisted, entered, engaged, or employed as aforesaid, whether any enlisting money, pay, or reward, shall have been, or shall be, actually given or received, or not, in any or either of such cases every Person so offending shall be deemed guilty of a misdemeanor, and, upon being convicted thereof, upon any information or indictment, shall be punishable by fine and imprisonment, or either of them, at the discretion of the Court before which such Offender shall be convicted."

And it is further enacted, "that if any Person within any part of the United Kingdom, or in any part of His Majesty's Dominions beyond the Seas, shall, without the leave and licence of His Majesty for that purpose first had and obtained, as aforesaid, equip, furnish, fit out, or arm, or attempt or endeavour to equip, furnish, fit out, or arm, or procure to be equipped, furnished, fitted out, or armed, or shall knowingly aid, assist, or be concerned in the equipping, furnishing, fitting out, or arming of any Ship or Vessel, with intent or in order that such Ship or Vessel shall be employed in the Service of any Foreign Prince, State, or Potentate, or of any Foreign Colony, Province, or part of any Province or People, or of any Person or Persons exercising, or assuming to exercise, any Powers of Government in or over any Foreign State, Colony, Province, or part of any Province or People, as a transport or store Ship, or with intent to cruize or commit hostilities against any Prince, State, or Potentate, or against the Subjects or Citizens of any Prince, State, or Potentate, or against the Persons exercising, or assuming to exercise, the Powers of Government in any Colony, Province, or part of any Province or Country, or against the Inhabitants of any Foreign Colony, Province, or part of any Province or Country, with whom His Majesty shall not then be at War, or shall, within the United Kingdom, or any of His Majesty's Dominions, or in any Settlement, Colony, Territory, Island, or Place belonging or subject to His Majesty, issue or deliver any Commission for any Ship or Vessel to the intent that such Ship or Vessel shall be employed as aforesaid,

every such Person so offending shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, upon any information or indictment, be punished by fine and imprisonment, or either of them, at the discretion of the Court in which such Offender shall be convicted; and every such Ship or Vessel, with the tackle, apparel, and furniture, together with all the materials, arms, ammunition, and stores which may belong to, or be on board of, any such Ship or Vessel, shall be forfeited; and it shall be lawful for any Officer of His Majesty's Customs or Excise, or any Officer of His Majesty's Navy, who is by law empowered to make seizures for any forfeiture, incurred under any of the laws of Customs or Excise, or the laws of Trade and Navigation, to seize such Ships and Vessels aforesaid, and in such Places, and in such manner in which the Officers of His Majesty's Customs or Excise, and the Officers of His Majesty's Navy, are empowered respectively to make seizures under the laws of Customs and Excise, or under the laws of Trade and Navigation, and that every such Ship and Vessel, with the tackle, apparel, and furniture, together with all the materials, arms, ammunition, and stores which may belong to or be on board of such Ship or Vessel, may be prosecuted and condemned in the like manner, and in such Courts as Ships or Vessels may be prosecuted and condemned, for any breach of the Laws made for the protection of the Revenues of Customs and Excise, or of the laws of Trade and Navigation:"

His Majesty, therefore, being desirous of preserving to His Subjects the blessings of Peace which they now happily enjoy, and being resolved to persevere in that system of neutrality which His Majesty has so repeatedly declared His determination to maintain; in order that none of His Majesty's Subjects may unwarily render themselves liable to the Penalties imposed by the Statute herein mentioned, has thought fit, by and with the advice of His Privy Council, to issue this His Royal Proclamation:

And His Majesty does hereby strictly command that no Person or Persons whatsoever do presume to take part in any of the said Contests, or to commit or attempt any act, matter, or thing whatsoever, contrary to the provisions of the said Statute, upon pain of the several Penalties by the said Statute imposed, and of His Majesty's high displeasure:

And His Majesty, by and with the advice aforesaid, doth hereby enjoin all His Majesty's Subjects strictly to observe, as well towards The Ottoman Porte and the Greeks, as towards all other Belligerents with whom His Majesty is at Peace, the duties of neutrality; and to respect in all, and each of them, the exercise of those Belligerent Rights, which His Majesty has always claimed to exercise, when His Majesty has Himself been unhappily engaged in War.

Given at Our Court at Windsor, the 30th day of September, 1825,  
and in the 6th year of Our reign.

God save the King.

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**BRITISH ORDER in COUNCIL, prohibiting the Exportation of Cannon, Cannon-balls, &c. out of the Kingdom.**

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*At the Court at Windsor, the 30th of September 1825,*

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

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WHEREAS an Act of Parliament was passed in the 29th Year of the Reign of His late Majesty King George the Second, [cap. 16.] intituled "An Act to empower His Majesty to prohibit the exportation of Salt-petre, and to enforce the law for empowering His Majesty to prohibit the exportation of Gun-powder, or any sort of Arms and Ammunition, and also to empower His Majesty to restrain the carrying coastwise of Salt-petre, Gun-powder, or any sort of Arms or Ammunition;" and His Majesty, judging it necessary to prohibit the exportation of cannon, mortars, howitzers, carronades, and all carriages and other appurtenances for the use of the same, and all cannon-balls, bombs, grenades, cannister-shot, Congreve rockets, Shrapnell or other shells, and appurtenances for the use of the same, out of this kingdom, for some time, doth therefore, with the advice of His Privy Council, hereby order, require, prohibit, and command, that no Person or Persons whatsoever (except the Master-General of the Ordnance, or the Lords Commissioners of the Admiralty for His Majesty's Service) do, at any time during the space of six months from the date of this Order in Council, presume to transport into any parts out of this Kingdom, any cannon, mortars, howitzers, carronades, and all carriages and other appurtenances for the use of the same, and all cannon-balls, bombs, grenades, cannister-shot, Congreve rockets, Shrapnell or other shells, and appurtenances for the use of the same, or ship or lade any cannon, mortars, howitzers, carronades, and all carriages and other appurtenances for the use of the same, and all cannon-balls, bombs, grenades, cannister-shot, Congreve rockets, Shrapnell or other shells, and appurtenances for the use of the same, on board any Ship or Vessel, in order to transporting the same into any parts beyond the seas, without leave or permission in that behalf first obtained from His Majesty or His Privy Council, upon pain of incurring and suffering the respective forfeitures and penalties inflicted by the afore-mentioned Act:

And the Lords Commissioners of His Majesty's Treasury, the Commissioners for executing the Office of Lord High Admiral of Great

Britain, the Lord Warden of the Cinque Ports, the Master-General of the Ordnance, and His Majesty's Secretary at War, are to give the necessary directions herein as to them may respectively appertain.

JAS. BULLER.

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***BRITISH ORDER in COUNCIL prohibiting the Exportation of Gun-powder or Saltpetre, or Arms or Ammunition, to the Coast of Africa.***

*At the Court at Windsor, the 30th of September 1825,*

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas the time limited by His Majesty's Order in Council, of the 23d of March last, for prohibiting the exportation of Gun-powder or Saltpetre, or any sort of Arms or Ammunition, to any Port or Place on the Coast of Africa (except to any ports or places within the Streights of Gibraltar), has expired; and whereas it is judged expedient that the said prohibition should be continued for some time longer, His Majesty, by and with the advice of His Privy Council, doth therefore hereby order, require, prohibit, and command, that no Person or Persons whatsoever (except the Master-General of the Ordnance for His Majesty's Service), do, at any time during the space of six months (to commence from the date of this Order), presume to transport any Gun-powder or Saltpetre, or any sort of Arms or Ammunition, to any Port or Place on the Coast of Africa (except to any Ports or Places within the Streights of Gibraltar) or ship or lade any Gun-powder or Saltpetre, or any sort of Arms or Ammunition, on board any ship or vessel, in order to transporting the same into any such Ports or Places on the Coast of Africa (except as above excepted), without leave or permission in that behalf, first obtained from His Majesty or His Privy Council, upon pain of incurring and suffering the respective forfeitures and penalties inflicted by an Act, passed in the 29th Year of the Reign of His Majesty King George the Second, [cap. 16.] intituled "An Act to empower His Majesty to prohibit the  
" Exportation of Gunpowder, or any sort of Arms or Ammunition,  
" and also to empower His Majesty to restrain the carrying coast-  
" wise of Saltpetre, Gunpowder, or any sort of Arms or Ammunition;" and also by an Act, passed in the 33d Year of His late Majesty's Reign, cap. 2. intituled "An Act to enable His Majesty to restrain  
" the Exportation of Naval Stores, and more effectually to prevent  
" the Exportation of Saltpetre, Arms, and Ammunition, when prohi-  
" bited by Proclamation or Order in Council:"



And the Right Honourable the Lords Commissioners of His Majesty's Treasury, the Commissioners for executing the Office of Lord High Admiral of Great Britain, the Lord Warden of the Cinque Ports, the Master-General and the rest of the Principal Officers of the Ordnance, and His Majesty's Secretary at War, are to give the necessary directions herein as to them may respectively appertain.

JAS. BULLER.

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*ACT of the British Parliament relative to the Levant Company.*

*AN ACT to repeal certain Acts relating to the Governor and Company of Merchants of England trading to the Levant Seas, and the Duties payable to them; and to authorize the transfer and disposal of the Possessions and Property of the said Governor and Company, for the Public Service.* [Cap. 33. June 10, 1825.]

WHEREAS His late Majesty King *James* the First, by His Letters Patent bearing Date the 14th Day of *December*, in the 3d Year of His Reign, did grant to several Persons therein named, and to their Sons, and such Others as should thereafter be admitted and made free that they should be One Fellowship, and One Body Corporate and Politic, by the Name of "*The Governor and Company of Merchants of England trading to the Levant Seas;*" and by the same Name should have perpetual Succession, with certain Rights and Privileges in the said Letters Patent specified: And whereas His late Majesty King *Charles* the Second, by His Letters Patent bearing Date the 2nd Day of *April*, in the 13th Year of His Reign, did ratify and confirm the said Letters Patent of King *James* the First, and did grant further Authorities and Privileges to the said Governor and Company: And whereas by divers Acts certain Regulations have been made respecting the said Company, and the Dues and Duties payable to the said Company, that is to say, an Act made in the 26th Year of the Reign of His late Majesty King *George* the Second, [Cap. 18.] intituled *An Act for enlarging and regulating the Trade into the Levant Seas;* an Act made in the 20th Year of the Reign of His late Majesty King *George* the Third, [Cap. 18.] among other things, for the allowing the Importation into and Exportation from *Ireland* of such Goods as may be imported into or exported from *Great Britain* by the Merchants of *England* trading to the *Levant Seas;* an Act made in the 43d Year of the Reign of His said late Majesty King *George* the Third [Cap. 153.] to permit the Importation into *Great Britain* and *Ireland* of certain Goods, Wares, and Merchandize in Neutral Vessels; an Act made in the 55th Year of the Reign of His late Majesty King *George* the Third, [Cap. 29.] intituled *An Act to regulate the Trade between Malta and its Dependencies and His*

*Majesty's Colonies and Plantations in America, and also between Malta and the United Kingdom* ; an Act made in the 57th Year of the Reign of His said late Majesty King *George* the Third, [Cap. 4.] intituled *An Act to extend the Privileges of the Trade of Malta to the Port of Gibraltar* ; and an Act made in the 59th Year of the Reign of His said late Majesty King *George* the Third, [Cap. 110.] intituled *An Act to remove Doubts respecting the Dues payable to the Levant Company* : And whereas it would be beneficial to the Trade of the United Kingdom, and especially to the Trade carried on in the *Levant* Seas, that the exclusive Rights and Privileges of the said Governor and Company under the said Letters Patent and Acts of Parliament should cease and determine : And whereas the said Governor and Company are willing and desirous to surrender up the said Letters Patent into His Majesty's Hands : May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever and so soon as any Deed or Instrument by which the said Governor and Company shall so surrender up to His Majesty the said Letters Patent, and all Rights, Powers, and Privileges thereby granted or confirmed to the said Governor and Company, shall be made and executed under the Common Seal of the said Governor and Company, and shall be enrolled in His Majesty's High Court of Chancery, the said several Letters Patent and Grants herein-before recited, and every Matter, Clause, and Thing therein contained, shall be and become, and the same are hereby declared to be and become null and void ; and that from and immediately after the Inrolment of such Deed or Instrument, the said Governor and Company shall cease to be a Body Politic and Corporate, and the said Corporation shall be dissolved to all Intents, Constructions, and Purposes whatsoever ; and all Rights, Powers and Privileges by the said Letters Patent, or by the said several herein-before recited Acts, or by any other Authority or Means granted to or possessed by the said Governor and Company, shall from thenceforth cease and determine ; any thing in the said several Letters Patent and Acts, or any of them, to the contrary in anywise notwithstanding ; and the said Governor and Company shall be and they are hereby divested of and from all Land, Houses, and Buildings, by whatever Tenure holden, at any Time heretofore purchased, acquired, or holden by the said Governor and Company, and which are holden, possessed, or claimed by the said Governor and Company, within the United Kingdom, or at *Smyrna* or elsewhere, and all such Land, Houses, Buildings, and all Right, Title, Estate, or Interest therein or thereto, holden, purchased, acquired, possessed, enjoyed, or claimed by the said Governor and Company, shall thence-

forth be and the same and every of them are and is hereby declared and enacted to be fully and absolutely vested in His Majesty, His Heirs and Successors, for ever.

II. And whereas certain grants of money have been from time to time made to the said Governor and Company of Merchants of *England* trading to the *Levant* Seas, by sundry Acts, for the purpose of better enabling them to carry into effect the objects for which they were incorporated: And whereas it is just and expedient that all such property as shall belong to or be at the disposal of the said Governor and Company under or by virtue of the said Letters Patent and Acts, or any of them respectively, at the time of such their dissolution, should, after the payment of all debts and demands to which the said Governor and Company may be liable as such Corporation, be applied to the public Service, in the manner hereinafter directed; Be it therefore enacted, That from and immediately after the enrolment of any such Deed or Instrument as aforesaid, whereby the said Corporation shall be dissolved in manner directed by this Act, all monies in the Public Funds, and all other monies, goods, chattels, property, and other personal estate and effects whatsoever, in the possession or at the disposal of the said Governor and Company as such Corporation as aforesaid, or to which the said Governor and Company as such Corporation are or shall be entitled, or which shall or may be due to the said Governor and Company as such Corporation, shall be and become vested, and are hereby vested in the Commissioners of His Majesty's Treasury of The United Kingdom of *Great Britain* and *Ireland* for the time being; and that it shall and may be lawful for the said Commissioners of the Treasury now and for the time being, or any Three of the said Commissioners, to accept, receive, and recover, and to sell, transfer, and dispose of all such funds, monies, goods, chattels, property, and other personal estate and effects whatsoever, and to apply the produce thereof in the first place in and for the payment of all just debts and demands to which the said Governor and Company are or shall be liable at the dissolution of such Corporation, on account of any matter or thing relating to such Corporation; and from and after payment of all such debts and demands, it shall be lawful for the said Commissioners of the Treasury for the time being, or any Three or more of them, and they are hereby authorized and required to direct, that all the remainder and surplus of the produce of such public funds, monies, goods, chattels, property, and other personal Estate as aforesaid, shall be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and shall be placed to the Account of and made part of the Consolidated Fund of The United Kingdom of *Great Britain* and *Ireland*.

III. And be it further enacted, That from and immediately after

the inrolment in His Majesty's High Court of Chancery of such Deed or Instrument as aforesaid, the said recited Act of the 26th Year of the Reign of His said late Majesty King *George* the Second, and also the said recited Act of the 59th Year of the Reign of His late Majesty King *George* the Third, and all Powers for the levying of any Duties or Dues heretofore payable to the said Governor and Company, shall be and the same are hereby repealed; and all such Duties and Dues, and all Powers for levying the same, shall cease and determine, except only so far as relates to the payment and recovery of any arrears of Duties and Dues which shall be payable to the said Company at the time of the inrolment of such Deed or Instrument; and also that from and after such Inrolment of such Deed or Instrument, all and every clause, matter, and thing contained in the said several herein-before recited Acts made in the 20th, 43d, 55th and 57th Years of the Reign of His said late Majesty King *George* the Third, in any way extending or relating to the said Governor and Company, shall be and the same are from thenceforth hereby repealed; any thing in the said recited Acts or any of them, or any other law, usage, or custom to the contrary in anywise notwithstanding.

IV. And be it further enacted, That from and immediately after the inrolment of any such Deed or Instrument as aforesaid, all such Rights and Duties of Jurisdiction and Authority over His Majesty's Subjects resorting to the Ports of the *Levant* for the purposes of Trade or otherwise, as were lawfully exercised and performed, or which the said recited Letters Patent or Acts, or any of them, authorized to be exercised and performed by any Consuls or other Officers appointed by the said Company, or which such Consuls or other Officers lawfully exercised and performed under and by virtue of any Power or Authority whatever, shall, from and after the inrolment of such Deed or Instrument as aforesaid, be and become vested in, and shall be exercised and performed by such Consuls and other Officers respectively as His Majesty may be pleased to appoint, for the protection of the Trade of His Majesty's Subjects in the Ports and Places respectively mentioned in the said Letters Patent and Acts, or any or either of them.

V. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, and they are hereby empowered and authorized to grant reasonable Allowances and Pensions to such of the Officers and Servants in *England* of the said Company, and to such other Person or Persons as, by reason of the dissolution of the said Company, may lose and be deprived of their Offices, Employments, and Pensions, and to charge the same upon the Consolidated Fund of The United Kingdom; and all such Allowances and Pensions to be so granted, shall be payable and paid Quarterly at the receipt of the Exchequer



at *Westminster*, out of the said Consolidated Fund, free and clear of and from all taxes, charges, and deductions whatsoever; and the said Commissioners of His Majesty's Treasury shall yearly and every Year before the 25th Day of *March* in each Year, if Parliament be sitting, and in case Parliament shall not be sitting, then within 20 Days after the Meeting of Parliament then next following such 25th Day of *March*, cause an Account and Estimate to be laid before Parliament of the total Amount of such Allowances and Pensions payable to such Officers and Servants in *England* of the said Company, and to such other Persons as are herein-before mentioned, for One Year ending on the 5th Day of *January* preceding every such 25th Day of *March* respectively.

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***MESSAGE of the President of The United States of America,  
on the Opening of Congress, 7th December 1824.***

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FELLOW-CITIZENS OF THE SENATE, AND OF THE HOUSE OF REPRESENTATIVES :

THE view which I have now to present to you of our Affairs, Foreign and Domestic, realizes the most sanguine anticipations which have been entertained of the public prosperity. If we look to the whole, our growth, as a Nation, continues to be rapid beyond example; if to the States which compose it, the same gratifying spectacle is exhibited. Our expansion over the vast Territory within our limits has been great, without indicating any decline in those Sections from which the emigration has been most conspicuous. We have daily gained strength by a native population in every quarter—a population devoted to our happy system of Government, and cherishing the bond of union with fraternal affection. Experience has already shown, that the difference of climate, and of industry, proceeding from that cause, inseparable from such vast Domains, and which, under other systems, might have a repulsive tendency, cannot fail to produce, with us, under wise regulations, the opposite effect. What one portion wants, the other may supply, and this will be most sensibly felt by the Parts most distant from each other, forming thereby a domestic market, and an active intercourse between the extremes, and throughout every portion of our Union. Thus, by a happy distribution of power between the National and State Governments,—Governments which rest exclusively on the Sovereignty of the People, and are fully adequate to the great purposes for which they were respectively instituted,—causes which might otherwise lead to dismemberment, operate powerfully to draw us closer together. In every other circumstance, a correct view of the actual state of our Union, must be equally gratifying to our constitu-

ents. Our relations with Foreign Powers are of a friendly character, although certain interesting differences remain unsettled with some. Our Revenue, under the mild system of impost and tonnage, continues to be adequate to all the purposes of the Government. Our agriculture, commerce, manufactures, and navigation, flourish. Our fortifications are advancing in the degree authorized by existing appropriations, to maturity; and due progress is made in the augmentation of the Navy to the limit prescribed for it by law. For these blessings we owe to Almighty God, from Whom we derive them, and with profound reverence, our most grateful and unceasing acknowledgments.

In adverting to our relations with Foreign Powers, which are always an object of the highest importance, I have to remark, that, of the subjects which have been brought into discussion with them during the present Administration, some have been satisfactorily terminated; others have been suspended, to be resumed hereafter, under circumstances more favourable to success; and others are still in negotiation, with the hope that they may be adjusted, with mutual accommodation to the interests and to the satisfaction of the respective Parties. It has been the invariable object of this Government to cherish the most friendly relations with every Power, and on principles and conditions which might make them permanent. A systematic effort has been made to place our Commerce with each Power on a footing of perfect reciprocity, to settle with each, in a spirit of candour and liberality, all existing differences, and to anticipate and remove, so far as it might be practicable, all causes of future variance.

It having been stipulated by the 7th Article of the Convention of Navigation and Commerce, which was concluded on the 24th June 1822, between The United States and France, that the said Convention should continue in force for 2 years, from the 1st of October of that year, and for an indefinite term afterwards, unless one of the Parties should declare its intention to renounce it, in which event it should cease to operate at the end of six months, from such declaration; and, no such intention having been announced, the Convention having been found advantageous to both Parties, it has since remained, and still remains, in force. At the time when that Convention was concluded, many interesting subjects were left unsettled, and particularly our claim to indemnity for spoliations which were committed on our Commerce in the late Wars. For these interests and claims, it was in the contemplation of the Parties to make provision at a subsequent day, by a more comprehensive and definitive Treaty. The object has been duly attended to since by the Executive, but, as yet, it has not been accomplished. It is hoped that a favourable opportunity will present itself, for opening a Negotiation which may embrace and arrange all existing differences, and every other concern, in which they have a common interest, upon the accession of the present King of France,

an event which has occurred since the close of the last Session of Congress.

With Great Britain our Commercial intercourse rests on the same footing that it did at the last Session. By the Convention of 1815, the Commerce between The United States and the British Dominions in Europe and the East Indies, was arranged on a principle of reciprocity. That Convention was confirmed and continued in force, with slight exceptions, by a subsequent Treaty, for the term of 10 years, from the 20th October 1818, the date of the latter. The trade with the British Colonies in the West Indies, has not, as yet, been arranged by Treaty or otherwise, to our satisfaction. An approach to that result has been made by Legislative Acts, whereby many serious impediments which had been raised by the Parties in defence of their respective claims were removed. An earnest desire exists, and has been manifested on the part of this Government, to place the Commerce with the Colonies likewise on a footing of reciprocal advantage; and it is hoped that the British Government, seeing the justice of the proposal, and its importance to the Colonies, will, ere long, accede to it.

The Commissioners who were appointed for the adjustment of the Boundary, between the Territories of The United States and those of Great Britain, specified in the 5th Article of the Treaty of Ghent, having disagreed in their decision, and both Governments having agreed to establish that Boundary by amicable Negotiation between them, it is hoped that it may be satisfactorily adjusted in that mode. The Boundary specified by the 6th Article has been established by the decision of the Commissioners. From the progress made in that provided for by the 7th, according to a Report recently received, there is good cause to presume that it will be settled in the course of the ensuing year.

It is a cause of serious regret, that no arrangement has yet been finally concluded between the two Governments, to secure, by joint co-operation, the suppression of the Slave Trade. It was the object of the British Government, in the early stages of the Negotiation, to adopt a plan for the suppression, which should include the concession of the mutual Right of Search, by the ships of war of each Party, of the vessels of the other, for suspected Offenders. This was objected to by this Government, on the principle that, as the Right of Search was a right of War of a belligerent towards a neutral Power, it might have an ill effect to extend it, by Treaty, to an offence which had been made comparatively mild, to a time of peace. Anxious, however, for the suppression of this Trade, it was thought adviseable, in compliance with a Resolution of the House of Representatives, founded on an Act of Congress, to propose to the British Government an expedient which

should be free from that objection, and more effectual for the object, by making it piratical. In that mode, the enormity of the crime would place the Offenders out of the protection of their Government, and involve no question of search, or other question between the Parties, touching their respective rights. It was believed, also, that it would completely suppress the Trade in the Vessels of both Parties, and by their respective citizens and subjects, in those of other Powers, with whom, it was hoped, that the odium which would thereby be attached to it, would produce a corresponding arrangement, and, by means thereof, its entire extirpation for ever. A Convention to this effect was concluded and signed in London, on the 13th day of March, 1824, by Plenipotentiaries duly authorized by both Governments, to the Ratification of which certain obstacles have arisen, which are not yet entirely removed. The difference between the Parties still remaining, has been reduced to a point not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near to the heart of both Nations, and so desirable to the friends of humanity throughout the world. As objections, however, to the principle recommended by the House of Representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a re-consideration of the whole subject, I have thought it proper to suspend the conclusion of a new Convention until the definitive sentiments of Congress may be ascertained. The Documents relating to the Negotiation are, with that intent, submitted to your consideration.

Our Commerce with Sweden has been placed on a footing of perfect reciprocity by Treaty, and with Russia, The Netherlands, Prussia, the Free Hanseatic Cities, the Dukedom of Oldenburg, and Sardinia, by internal regulations on each side, founded on mutual agreement between the respective Governments.

The principles upon which the Commercial policy of The United States is founded, are to be traced to an early period. They are essentially connected with those upon which their Independence was declared, and owe their origin to the enlightened men who took the lead in our affairs at that important epoch. They are developed in their first Treaty of Commerce with France, of 6th February 1778, and by a formal Commission, which was instituted immediately after the conclusion of their revolutionary struggle, for the purpose of negotiating Treaties of Commerce with every European Power. The first Treaty of The United States with Prussia, which was negotiated by that Commission, affords a signal illustration of those principles. The Act of Congress of the 3d March 1815, adopted immediately after the return of a general peace, was a new overture to Foreign Nations to establish our Commercial relations with them, on the basis



of free and equal reciprocity. That principle has pervaded all the Acts of Congress, and all the negotiations of the Executive on the subject since.

A Convention for the settlement of important questions in relation to the Northwest Coast of this Continent, and its adjoining Seas, was concluded and signed at St. Petersburg, on the 5th day of April last, by the Minister Plenipotentiary of The United States, and Plenipotentiaries of the Imperial Government of Russia. It will immediately be laid before the Senate, for the exercise of the Constitutional Authority of that body, with reference to its ratification. It is proper to add, that the manner in which this negotiation was invited and conducted on the part of the Emperor, has been very satisfactory.

The great and extraordinary changes which have happened in the Governments of Spain and Portugal within the last two years, without seriously affecting the friendly relations which, under all of them, have been maintained with those Powers by The United States, have been obstacles to the adjustment of the particular subjects of discussion which have arisen with each. A resolution of the Senate, adopted at their last Session, called for information as to the effect produced upon our relations with Spain, by the recognition, on the part of The United States, of the Independent South American Governments. The Papers containing that information are now communicated to Congress.

A Chargé d'Affaires has been received from the Independent Government of Brazil. That Country, heretofore a Colonial Possession of Portugal, had, some years since, been proclaimed, by the Sovereign of Portugal himself, an Independent Kingdom. Since his return to Lisbon, a Revolution in Brazil has established a new Government there, with an Imperial title, at the head of which is placed the Prince, in whom the Regency had been vested by the King at the time of His departure. There is reason to expect that, by amicable negotiation, the Independence of Brazil will, ere long, be recognized by Portugal herself.

With the remaining Powers of Europe, with those on the Coast of Barbary, and with all the new South American States, our relations are of a friendly character. We have Ministers Plenipotentiary residing with the Republics of Colombia and Chili, and have received Ministers of the same rank from Colombia, Guatemala, Buenos Ayres, and Mexico. Our Commercial relations with all those States are mutually beneficial and increasing. With the Republic of Colombia a Treaty of Commerce has been formed, of which a Copy is received, and the Original daily expected. A negotiation for a like Treaty would have been commenced with Buenos Ayres, had it not been prevented by the indisposition and lamented decease of Mr. Rodney, our Minister there; and to whose memory the most respectful attention has been shown by the Government of that Republic. An advantageous alteration in our

Treaty with Tunis has been obtained by our Consular Agent residing there; the Official Document of which, when received, will be laid before the Senate.

The attention of the Government has been drawn, with great solicitude, to other subjects, and particularly to that relating to a state of Maritime War, involving the relative Rights of Neutral and Belligerent in such wars. Most of the difficulties which we have experienced, and of the losses which we have sustained, since the establishment of our Independence, have proceeded from the unsettled state of those rights, and the extent to which the belligerent claim has been carried against the neutral Party. It is impossible to look back on the occurrences of the late wars in Europe, and to behold the disregard which was paid to our rights as a neutral Power, and the waste which was made of our Commerce by the Parties to those wars, by various Acts of their respective Governments, and under the pretext, by each, that the other had set the example, without great mortification, and a fixed purpose never to submit to the like in future. An attempt to remove those causes of possible variance, by friendly negotiation, and on just principles which should be applicable to all Parties, could, it was presumed, be viewed by none, other than as a proof of an earnest desire to preserve those relations with every Power. In the late War between France and Spain, a crisis occurred in which it seemed probable that all the controvertible principles involved in such wars might be brought into discussion, and settled to the satisfaction of all Parties. Propositions, having this object in view, have been made to the Governments of Great Britain, France, Russia, and of other Powers, which have been received in a friendly manner by all, but as yet no Treaty has been formed with either for its accomplishment. The policy will, it is presumed, be persevered in, and in the hope that it may be successful.

It will always be recollected that with One of the Parties to those wars, and from whom we received those injuries, we sought redress by war. From the Other, by whose then reigning Government our Vessels were seized in Port as well as at Sea, and their Cargoes confiscated, indemnity has been expected, but has not yet been rendered. It was under the influence of the latter that our Vessels were likewise seized by the Governments of Spain, Holland, Denmark, Sweden, and Naples, and from whom indemnity has been claimed and is still expected, with the exception of Spain, by whom it has been rendered. With both Parties we had abundant cause of War; but we had no alternative but to resist that which was most powerful at Sea, and pressed us nearest at home. With this, all differences were settled by a Treaty founded on Conditions fair and honourable to both, and which has been, so far, executed with perfect good faith. It has been earnestly hoped, that the Other would, of its own accord, and from a sen-

inment of justice and conciliation, make to our Citizens the indemnity to which they are entitled, and thereby remove from our relations any just cause of discontent on our side.

It is estimated that the Receipts into the Treasury during the current Year, exclusive of Loans, will exceed 18,500,000 Dollars, which, with the sum remaining in the Treasury at the end of the last Year, amounting to 9,463,922 Dollars, and 81 Cents, will, after discharging the current disbursements of the Year, the Interest on the Public Debt, and upwards of 11,633,000 Dollars of the principal, leave a balance of more than 3,000,000 Dollars in the Treasury on the 1st day of January next.

A larger amount of the debt contracted during the late war, bearing an interest of 6 per cent. becoming redeemable in the course of the ensuing year, than could be discharged by the ordinary Revenue, the Act of the 26th of May, authorized a loan of 5,000,000 of Dollars at 4½ per cent. to meet the same. By this arrangement an annual saving will accrue to the public of 75,000 Dollars.

Under the Act of the 24th of May last, a loan of 5,000,000 Dollars was authorized, in order to meet the awards, under the Florida Treaty, which was negotiated at par, with the Bank of The United States at 4½ per cent. the limit of interest fixed by the Act. By this provision the claims of our citizens, who had sustained so great a loss by spoliations, and from whom indemnity had been so long withheld, were promptly paid. For these advances the public will be amply repaid, at no distant day, by the sale of the lands in Florida. Of the great advantages resulting from the acquisition of the Territory in other respects, too high an estimate cannot be formed.

It is estimated that the receipts into the Treasury, during the year 1825 will be sufficient to meet the disbursements of the year, including the sum of 10,000,000 of Dollars, which is annually appropriated by the Act, constituting the Sinking Fund, to the payment of the principal and interest of the public debt.

The whole amount of the Public Debt, on the 1st of January next, may be estimated at 86,000,000 of Dollars, inclusive of 2,500,000 Dollars of the loan authorized by the Act of the 26th of May last. In this estimate is included a stock of 7,000,000 Dollars issued for the purchase of that amount of the capital stock of the Bank of The United States, and which, as the stock of the Bank, still held by the Government, will at least be fully equal to its reimbursement, ought not to be considered as constituting a part of the Public Debt. Estimating then, the whole amount of the Public Debt at 79,000,000 Dollars, and regarding the annual receipts and expenditures of the Government, a well-founded hope may be entertained, that, should no unexpected event occur, the whole Public Debt may be discharged in the course of 10 years, and the Government be left at liberty thereafter, to apply such portion of the revenue as may not be necessary for current expences, to such other



objects as may be most conducive to the public security and welfare. That the sum applicable to these objects, will be very considerable, may be fairly concluded, when it is recollected, that a large amount of the public revenue has been applied since the late war, to the construction of the public buildings in this City; to the erection of fortifications along the coast, and of arsenals in different parts of the Union; to the augmentation of the Navy; to the extinguishment of the Indian title to large tracts of fertile territory; to the acquisition of Florida; to pensions to revolutionary officers and soldiers, and to invalids of the late war. On many of these objects the expence will annually be diminished, and cease at no distant period on most of them. On the 1st of January, 1817, the Public Debt amounted to 123,491,965 Dollars and 16 Cents; and notwithstanding the large sums which have been applied to these objects, it has been reduced since that period, 37,446,961 Dollars and 78 Cents. The last portion of the public debt will be redeemable on the 1st of January, 1835; and while there is the best reason to believe that the resources of the Government will be continually adequate to such portions of it as may become due in the interval, it is recommended to Congress to seize every opportunity which may present itself, to reduce the rate of interest on every part thereof. The high state of the public credit, and the great abundance of money, are at this time very favourable to such a result. It must be very gratifying to our fellow-citizens, to witness this flourishing state of the Public Finances, when it is recollected, that no burthen whatever has been imposed upon them.

The Military Establishment, in all its branches, in the performance of the various duties assigned to each, justifies the favourable view which was presented of the efficiency of its organization, at the last Session. All the appropriations have been regularly applied to the objects intended by Congress; and, so far as the disbursements have been made, the accounts have been rendered and settled, without loss to the public. The condition of the Army itself, as relates to the officers and men, in science and discipline, is highly respectable. The Military Academy, on which the Army essentially rests, and to which it is much indebted for this state of improvement, has attained, in comparison with any other institution of a like kind, a high degree of perfection. Experience, however, has shewn that the dispersed condition of the corps of Artillery, is unfavourable to the discipline of that important branch of the Military Establishment. To remedy this inconvenience, eleven Companies have been assembled at the Fortification erected at Old Point Comfort, as a School for Artillery Instruction, with intention, as they shall be perfected in the various duties of that service, to order them to other posts, and to supply their places with other Companies, for Instruction, in like manner. In this mode, a complete knowledge of the science and duties of this arm, will be



extended throughout the whole Corps of Artillery. But to carry this object fully into effect, will require the aid of Congress; to obtain which, the subject is now submitted to your consideration.

Of the progress which has been made in the construction of Fortifications for the permanent defence of our Maritime Frontier, according to the plan decided on, and to the extent of the existing appropriations, the Report of the Secretary of War, which is herewith communicated, will give a detailed account. Their final completion cannot fail to give a great additional security to that Frontier, and to diminish proportionably, the expence of defending it in the event of war.

The Provisions in the several Acts of Congress, of the last Session, for the improvement of the navigation of the Mississippi and the Ohio, of the harbour of Presqu'isle, on Lake Erie, and the repair of the Plymouth Beach, are in a course of regular execution; and there is reason to believe, that the appropriation, in each instance, will be adequate to the object. To carry these improvements fully into effect, the superintendence of them has been assigned to Officers of the Corps of Engineers.

Under the Act of 30th April last, authorizing the President to cause a survey to be made, with the necessary plans and estimates, of such roads and canals, as he might deem of national importance, in a commercial or military point of view, or for the transportation of the mail, a Board has been instituted, consisting of two distinguished Officers of the Corps of Engineers, and a distinguished Civil Engineer, with assistants, who have been actively employed, in carrying into effect the object of the Act. They have carefully examined the route between the Potomac and the Ohio rivers; between the latter and Lake Erie; between the Alleghany and the Susquehannah; and the routes between the Delaware and the Rariton, Barnstable and Buzzard's Bay, and between Boston harbour and Narraganset Bay. Such portion of the corps of Topographical Engineers, as could be spared from the survey of the Coast, has been employed in surveying the very important route between the Potomac and the Ohio. Considerable progress has been made in it, but the survey cannot be completed until the next season. It is gratifying to add, from the view already taken, that there is good cause to believe, that this great national object may be fully accomplished.

It is contemplated to commence early in the next season, the execution of the other branch of the Act, that which relates to roads, and with the survey of a route from this City through the Southern States to New Orleans, the importance of which cannot be too highly estimated. All the Officers of both the Corps of Engineers, who could be spared from other services, have been employed in exploring and surveying the routes for canals. To digest a plan for both objects, for the great purposes specified, will require a thorough knowledge of

every part of our Union, and of the relation of each part to the others, and of all to the seat of the General Government. For such a digest it will be necessary that the information be full, minute, and precise. With a view to these important objects I submit to the consideration of Congress the propriety of enlarging both the Corps of Engineers, the Military and Topographical. It need scarcely be remarked, that the more extensively these Corps are engaged in the improvement of their Country, in the execution of the powers of Congress, and in aid of the States, in such improvements as lie beyond that limit, when such aid is desired, the happier the effect will be in many views of which the subject is susceptible. By profiting of their science the works will always be well executed; and by giving to the Officers such employment, our Union will derive all the advantage in peace as well as in war, from their talents and services, which they can afford. In this mode, also, the Military will be incorporated with the Civil, and unfounded and injurious distinctions and prejudices of every kind, be done away. To the Corps themselves, this service cannot fail to be equally useful, since, by the knowledge they would thus acquire, they would be eminently better qualified, in the event of war, for the great purposes for which they were instituted.

Our relations with the Indian Tribes within our limits, have not been materially changed during the year. The hostile disposition evinced by certain Tribes on the Missouri during the last year still continues, and has extended in some degree to those on the Upper Mississippi and the Upper Lakes. Several parties of our citizens have been plundered and murdered by those tribes. In order to establish relations of friendship with them, Congress at the last Session made an appropriation for Treaties with them, and for the employment of a suitable Military escort to accompany and attend the Commissioners, at the places appointed for the negotiations. This object has not been effected. The season was too far advanced when the appropriation was made, and the distance too great to permit it, but measures have been taken, and all the preparations will be completed, to accomplish it at an early period in the next Season.

Believing that the hostility of the Tribes, particularly on the Upper Mississippi, and the Lakes, is in no small degree owing to the Wars which are carried on between the Tribes residing in that quarter, measures have been taken to bring about a general peace among them, which, if successful, will not only tend to the security of our citizens, but be of great advantage to the Indians themselves.

With the exception of the Tribes referred to, our relations with all the others are on the same friendly footing, and it affords me great satisfaction to add, that they are making steady advances in civilization, and the improvement of their condition. Many of the Tribes have already made great progress in the Arts of civilized life. This

desirable result has been brought about by the humane and persevering policy of the Government, and particularly, by means of the appropriation for the civilization of the Indians. There have been established, under the provisions of this Act, 32 schools, containing 916 scholars, who are well instructed in several branches of literature, and likewise in agriculture, and the ordinary arts of life.

Under the appropriation to authorize Treaties with the Creeks, and Quapaw Indians, Commissioners have been appointed, and negotiations are now pending, but the result is not yet known.

For more full information respecting the principle which has been adopted for carrying into effect the Act of Congress authorizing surveys, with plans and estimates for canals and roads, and on every other branch of duty incident to the Department of War, I refer you to the Report of the Secretary.

The Squadron in the Mediterranean has been maintained in the extent which was proposed in the Report of the Secretary of the Navy of the last year, and has afforded to our Commerce the necessary protection in that sea. Apprehending however, that the unfriendly relations which have existed between Algiers and some of the Powers of Europe, might be extended to us, it has been thought expedient to augment the force there, and in consequence, the "North Carolina," a ship of the line, has been prepared, and will sail in a few days to join it.

The force employed in the Gulph of Mexico, and in the neighbouring seas, for the suppression of Piracy, has likewise been preserved essentially in the state in which it was during the last year. A persevering effort has been made for the accomplishment of that object, and much protection has thereby been afforded to our Commerce, but still the practice is far from being suppressed. From every view which has been taken of the subject, it is thought that it will be necessary rather to augment than to diminish our force in that quarter. There is reason to believe that the Piracies now complained of, are committed by bands of Robbers who inhabit the land, and who, by preserving good intelligence with the Towns, and seizing favourable opportunities, rush forth and fall on unprotected merchant vessels, of which they make an easy prey. The pillage thus taken they carry to their lurking places, and dispose of afterwards at prices tending to seduce the neighbouring population. This combination is understood to be of great extent, and is the more to be deprecated because the crime of Piracy is often attended with the murder of the crews, these robbers knowing, if any survive, their lurking places would be exposed, and they be caught and punished. That this atrocious practice should be carried to such extent, is cause of equal surprise and regret. It is presumed that it must be attributed to the relaxed and feeble state of the local Governments, since it is not doubted from the high character of



the Governor of Cuba, who is well known and much respected here, that if he had the power, he would promptly suppress it. Whether those robbers should be pursued on the land, the local Authorities be made responsible for these atrocities, or any other measure be resorted to, to suppress them, is submitted to the consideration of Congress.

In execution of the laws for the suppression of the Slave Trade, a vessel has been occasionally sent from that Squadron to the coast of Africa, with orders to return thence by the usual track of the Slave ships, and to seize any of our vessels which might be engaged in that trade. None have been found, and, it is believed, that none are thus employed. It is well known, however that the Trade still exists under other flags.

The health of our squadron while at Thompson's Island, has been much better during the present than it was the last season, Some improvements have been made, and others are contemplated there, which it is believed will have a very salutary effect.

On the Pacific our commerce has much increased, and on that coast, as well as on that sea, The United States have many important interests which require attention and protection. It is thought that all the considerations which suggested the expediency of placing a squadron on that sea, operate with augmented force for maintaining it there at least in equal extent.

For detailed information respecting the state of our Maritime Force, on each sea, the improvement necessary to be made on either, in the organization of the Naval Establishment generally, and of the laws for its better government, I refer you to the Report of the Secretary of the Navy, which is herewith communicated.

The Revenue of the Post Office Department has received a considerable augmentation, in the present year. The current receipts will exceed the expenditures, although the transportation of the mail, within the year has been much increased. A Report of the Postmaster General, which is transmitted, will furnish, in detail, the necessary information respecting the administration and present state of this Department.

In conformity with a Resolution of Congress of the last Session, an invitation was given to General Lafayette to visit The United States, with an assurance that a Ship of War should attend at any Port of France which he might designate, to receive and convey him across the Atlantic, whenever it might be convenient for him to sail. He declined the offer of the public ship, from motives of delicacy, but assured me that he had long intended, and would certainly visit our Union, in the course of the present year. In August last he arrived at New York, where he was received with the warmth of affection and gratitude to which his very important and disinterested services and sacrifices, in our revolutionary struggle, so eminently entitled him. A correspond-



ing sentiment has since been manifested in his favour throughout every portion of our Union, and affectionate invitations have been given him to extend his visits to them. To these he has yielded all the accommodation in his power. At every designated point of rendezvous, the whole population of the neighbouring country has been assembled to greet him, among whom it has excited in a peculiar manner, the sensibility of all, to behold the surviving members of our Revolutionary contest, Civil and Military, who had shared with him in the toils and dangers of the War, many of them in a decrepid state. A more interesting spectacle, it is believed, was never witnessed, because none could be founded on purer principles, none proceed from higher or more disinterested motives. That the feelings of those who had fought and bled with him, in a common cause, should have been much excited, was natural. There are, however, circumstances attending these interviews, which pervaded the whole community, and touched the breasts of every age, even the youngest among us. There was not an individual present, who had not some relative who had partaken in those scenes, nor an infant who had not heard the relation of them. But the circumstance which was most sensibly felt, and which his presence brought forcibly to the recollection of all, was the great cause in which we were engaged, and the blessings which we have derived from our success in it. The struggle was for Independence and Liberty, public and personal, and in this we succeeded. The meeting with one who had borne so distinguished a part in that great struggle, and from such lofty and disinterested motives, could not fail to affect, profoundly, every individual, and of every age. It is natural, that we should all take a deep interest in his future welfare, as we do. His high claims on our Union are felt, and the sentiment universal, that they should be met in a generous spirit. Under these impressions, I invite your attention to the subject, with a view that, regarding his very important services, losses, and sacrifices, a provision may be made and tendered to him, which shall correspond with the sentiments, and be worthy the character of the American people.

In turning our attention to the condition of the civilized world, in which The United States have always taken a deep interest, it is gratifying to see how large a portion of it is blessed with Peace. The only Wars which now exist within that limit, are those between Turkey and Greece, in Europe, and between Spain and the new Governments, our neighbours, in this hemisphere. In both these Wars, the cause of independence, of liberty and humanity, continues to prevail. The success of Greece, when the relative population of the contending Parties is considered, commands our admiration and applause, and that it has had a similar effect with the neighbouring Powers, is obvious. The feeling of the whole civilized world is excited, in a high degree, in their

favour. May we not hope that these sentiments, winning on the hearts of their respective Governments, may lead to a more decisive result? that they may produce an accord among them, to replace Greece on the ground which she formerly held, and to which her heroic exertions, at this day, so eminently entitle her?

With respect to the contest, to which our neighbours are a Party, it is evident that Spain, as a Power, is scarcely felt in it. These new States had completely achieved their independence, before it was acknowledged by The United States, and they have since maintained it, with little foreign pressure. The disturbances which have appeared in certain portions of that vast Territory, have proceeded from internal causes, which had their origin in their former Governments, and have not yet been thoroughly removed. It is manifest that these causes are daily losing their effect, and that these new States are settling down under Governments, elective and representative in every branch, similar to our own. In this course we ardently wish them to persevere, under a firm conviction that it will promote their happiness. In this their career, however, we have not interfered, believing that every People have a right to institute for themselves the Government, which, in their judgment, may suit them best. Our example is before them, of the good effect of which, being our neighbours, they are competent judges, and to their judgment we leave it, in the expectation that other Powers will pursue the same policy. The deep interest which we take in their independence, which we have acknowledged, and in their enjoyment of all the rights incident thereto, especially in the very important one of instituting their own Governments, has been declared and is known to the world. Separated, as we are from Europe by the great Atlantic Ocean, we can have no concern in the Wars of the European Governments, nor in the causes which produce them. The balance of power between them, into which ever scale it may turn in its various vibrations, cannot affect us. It is the interest of The United States to preserve the most friendly relations with every Power, and on conditions fair, equal, and applicable to all. But, in regard to our neighbours our situation is different. It is impossible for the European Governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us; indeed, the motive which might induce such interference in the present state of the War between the Parties, if a War it may be called, would appear to be equally applicable to us. It is gratifying to know that some of the Powers with whom we enjoy a very friendly intercourse, and to whom these views have been communicated, have appeared to acquiesce in them.

The augmentation of our population, with the expansion of our Union, and increased number of States, have produced effects in certain branches of our system, which merit the attention of Congress. Some of our arrangements, and particularly the Judiciary Establish-

ment, were made with a view to the original Thirteen States only. Since then The United States have acquired a vast extent of Territory ; eleven new States have been admitted into the Union, and Territories have been laid off for three others, which will, likewise, be admitted at no distant day. An organization of the Supreme Court, which assigns to the Judges any portion of the duties which belong to the Inferior, requiring their passage over so vast a space, under any distribution of the States that may now be made, if not impracticable in the execution, must render it impossible for them to discharge the duties of either branch with advantage to the Union. The duties of the Supreme Court would be of great importance, if its decisions were confined to the ordinary limits of other Tribunals ; but when it is considered that this Court decides, and in the last resort, on all the great questions which arise under our Constitution, involving those between the United States, individually, between the States and The United States, and between the latter and Foreign Powers, too high an estimate of their importance cannot be formed. The great interests of the Nation seem to require that the Judges of the Supreme Court should be exempted from every other duty, than those which are incident to that high trust. The organization of the Inferior Courts would, of course, be adapted to circumstances. It is presumed that such an one might be formed, as would secure an able and faithful discharge of their duties, and without any material augmentation of expence.

The condition of the Aborigines within our limits, and especially those who are within the limits of any of the States, merits likewise particular attention. Experience has shown, that unless the Tribes be civilized, they can never be incorporated into our system, in any form whatever. It has likewise shown, that in the regular augmentation of our population, with the extension of our Settlements, their situation will become deplorable, if their extinction is not menaced. Some well digested plan, which will rescue them from such calamities, is due to their rights, to the rights of humanity, and to the honour of the Nation. Their civilization is indispensable to their safety ; and this can be accomplished only by degrees. The process must commence with the Infant state, through whom some effect may be wrought on the Parental. Difficulties of the most serious character present themselves to the attainment of this very desirable result, on the Territory on which they now reside. To remove them from it by force, even with a view to their own security and happiness, would be revolting to humanity, and utterly unjustifiable. Between the limits of our present States and Territories, and the Rocky Mountain and Mexico, there is a vast Territory, to which they might be invited, with inducements which might be successful. It is thought, if that Territory should be divided into Districts, by previous agreement with the Tribes now residing there,



and Civil Governments be established in each, with schools for every branch of instruction in literature and the arts of civilized life, that all the Tribes now within our limits might gradually be drawn there. The execution of this plan would necessarily be attended with expence, and that not inconsiderable; but it is doubted whether any other can be devised, which would be less liable to that objection, or more likely to succeed.

In looking to the interests which The United States have on the Pacific Ocean, and on the Western Coast of this Continent, the propriety of establishing a Military Post at the mouth of Columbia River, or at some other point in that quarter, within our acknowledged limits, is submitted to the consideration of Congress. Our commerce and fisheries on that Sea, and along the Coast, have much increased, and are increasing. It is thought that a Military Post to which our Ships of War might resort, would afford protection to every interest, and have a tendency to conciliate the Tribes to the North-west, with whom our trade is extensive. It is thought also, that, by the establishment of such a Post, the intercourse between our Western States and Territories and the Pacific, and our trade with the Tribes residing in the Interior, on each side of the Rocky Mountain, would be essentially promoted. To carry this object into effect, the appropriation of an adequate sum to authorise the employment of a Frigate, with an Officer of the Corps of Engineers, to explore the mouth of the Columbia River and the Coast contiguous thereto, to enable the Executive to make such establishment at the most suitable point, is recommended to Congress.

It is thought that attention is also due to the improvements of this City. The communication between the public buildings, and in various other parts, and the grounds around those buildings, require it. It is presumed also, that the completion of the Canal from the Tiber to the Eastern Branch, would have a very salutary effect. Great exertions have been made, and expences incurred by the citizens, in improvements of various kinds; but those which are suggested belong exclusively to the Government, or are of a nature to require expenditures beyond their resources. The public lots which are still for sale, would, it is not doubted, be more than adequate to these purposes.

From the view above presented, it is manifest, that the situation of The United States is in the highest degree prosperous and happy. There is no object, which, as a People, we can desire, which we do not possess, or which is not within our reach. Blessed with Governments the happiest which the world ever knew, with no distinct orders in society, or divided interests in any portion of the vast Territory over which their Dominion extends, we have every motive to cling together which can animate a virtuous and enlightened People. The great object is to preserve these blessings, and to hand them down to the latest pos-



terity. Our experience ought to satisfy us, that our progress, under the most correct and provident policy, will not be exempt from danger. Our institutions form an important epoch in the history of the civilized world. On their preservation, and in their utmost purity, every thing will depend. Extending, as our interests do, to every part of the inhabited globe, and to every sea, to which our citizens are carried by their industry and enterprise, to which they are invited by the wants of others, and have a right to go, we must either protect them in the enjoyment of their rights, or abandon them, in certain events, to waste and desolation. Our attitude is highly interesting as relates to other Powers, and particularly to our Southern neighbours. We have duties to perform with respect to all, to which we must be faithful. To every kind of danger we should pay the most vigilant and unceasing attention; remove the cause where it may be practicable, and be prepared to meet it when inevitable.

Against foreign danger the policy of the Government seems to be already settled. The events of the late war admonished us to make our Maritime Frontier impregnable, by a well digested chain of Fortifications, and to give efficient protection to our commerce, by augmenting our Navy to a certain extent; which has been steadily pursued, and which it is incumbent upon us to complete, as soon as circumstances will permit. In the event of war, it is on the Maritime Frontier that we shall be assailed. It is in that quarter, therefore, that we should be prepared to meet the attack. It is there that our whole Force will be called into action, to prevent the destruction of our Towns, and the desolation and pillage of the Interior. To give full effect to this policy, great improvements will be indispensable. Access to those works, by every practicable communication, should be made easy, and in every direction. The intercourse, also, between every part of our Union, should be promoted, and facilitated by the exercise of those powers, which may comport with a faithful regard to the great principles of our Constitution. With respect to internal causes, those great principles point out, with equal certainty, the policy to be pursued. Resting on the people, as our Governments do, State and National, with well defined powers, it is of the highest importance, that they severally keep within the limits prescribed to them. Fulfilling that sacred duty, it is of equal importance, that the movement between them be harmonious; and in case of any disagreement, should any such occur, that a calm appeal be made to the People; and that their voice be heard and promptly obeyed. Both Governments being instituted for the common good, we cannot fail to prosper, while those who made them are attentive to the conduct of their Representatives, and controul their measures. In the pursuit of these great objects, let a generous spirit, and national views and feelings be indulged; and let every part recollect, that, by cherishing that spirit, and improving the

condition of the others, in what relates to their welfare, the general interest will not only be promoted, but the local advantage reciprocated, by all.

I cannot conclude this Communication, the last of the kind which I shall have to make, without recollecting, with great sensibility and heartfelt gratitude, the many instances of the public confidence, and the generous support which I have received from my fellow Citizens in the various trusts with which I have been honoured. Having commenced my service in early youth, and continued it since with few and short intervals, I have witnessed the great difficulties to which our Union has been exposed, and admired the virtue and courage with which they were surmounted. From the present prosperous and happy state, I derive a gratification which I cannot express. That these blessings may be preserved and perpetuated, will be the object of my fervent and unceasing prayers to the Supreme Ruler of the Universe.

JAMES MONROE.

*Washington, December 7, 1824.*

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*DOCUMENTS accompanying the Message of the President of The United States, to both Houses of Congress, at the commencement of the Second Session of the Eighteenth Congress.*

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DOCUMENTS FROM THE DEPARTMENT OF WAR.

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*The Secretary of War to the President of The United States.*

*Department of War, December 3, 1824.*

SIR,—In compliance with your directions, I herewith transmit Reports from the various branches of the Military Establishment, lettered from A. to K, which contain a full statement of the administration of that portion of the public service which is confided to the Department of War. The Reports afford satisfactory evidence, that a high degree of excellence has been attained in the administration of the different branches of the Department. Not an instance of defalcation or loss has thus far occurred; and there is every reason to believe that the Disbursements of the year will be made without the loss of a cent to the Government. The Accounts have already been rendered for nearly all the money which has been drawn from the Treasury in the three first quarters of the year, on account of the Army, Fortifications, Ordnance, and Indian affairs; and it is anticipated, with confidence, that the Accounts of the whole of the Disbursements of these quarters, will be rendered before the termination of the year. The old unsettled Accounts of the Department, which, at the commencement of the present administration, amounted to 45,111,123

dollars, have been reduced to 3,136,991 dollars; and further accumulation is effectually prevented in the Department, by strict fidelity and punctuality in the expenditure and settlement of Accounts.

In order to improve the discipline of the Artillery, eleven Companies have been collected at Fortress Monroe, at Old Point Comfort, which have been formed into a corps as a school of practice for the Artillery. The dispersed condition of the Artillery rendered the measure necessary to the improvement of its discipline. By passing the whole corps in succession through the school, a degree of perfection will be given to the discipline of the Artillery, nearly, if not quite, equal to that which could be attained, were it practicable to collect it into one body, instead of being dispersed, as it is, in garrisons in the different fortresses along the whole line of the coast. To carry the arrangement into full effect, will require the aid of Congress. An appropriation, in particular, will be necessary to furnish horses for instruction in the Light Artillery Exercise, which may be also used in instructing the Cavalry Drill; a branch of service in which the Army is now without skill or instruction.

A Board of Officers has been constituted to revise the book of field exercise and manœuvres of Infantry, which was adopted at the close of the late war, in order to a new and more correct edition, and to adapt it, as far as practicable, to the service of Militia. It is proposed also to add to it a system of Light Infantry and Cavalry Drill, and to correct and enlarge the military rules and regulations, so as to render them as perfect as is practicable with our present experience.

The organization of the Indian Department has been much improved in the course of the year; the beneficial effects of which is already apparent in its improved administration.

The hostilities of the remote Tribes on the Missouri still continue, and has extended in some degree to those on the Upper Missouri and the Upper Lakes. The continued hostility among the various Tribes themselves in that quarter, it is believed, has contributed, in no small degree, to the murder of our Citizens, and depredations on their property, which have occurred; and measures have been taken to effect, if possible, a general pacification among them.

The season was too far advanced when the Act passed to carry into effect the intention of Congress in authorizing Treaties to be held with the remote Tribes on the Missouri, by Commissioners to be appointed by the President, and to be accompanied by a military escort. The Commissioners have, however, been appointed, (General Atkinson, and Major O'Fallon, the agent on the Missouri,) and measures adopted to carry the provisions of the Act into effect, as soon in the spring as the season will admit. It is believed that much good will result from the measure, by giving increased security to our Citizens

and Trade in that remote region; but it is feared that nothing short of permanent military posts will afford complete security to either.

The appropriation of the sum of 10,000 dollars annually, for the civilization of the Indians, is producing very beneficial effects, by improving the condition of the various Tribes in our neighbourhood. Already 32 schools are established in the Indian nations, and for the most part are well conducted, in which, during the present year, 916 youths of both sexes have been instructed in reading, writing, arithmetic, and all of the ordinary occupations of life. So large a body of well-instructed youths, of whom several hundreds will annually return to their homes, cannot fail to effect a beneficial change in the condition of this unhappy race.

The Acts making appropriation for the repairs of Plymouth Beach, the improvement of the entrance into the harbour of Presqu' Isle, on Lake Erie, and of the navigation of the Ohio and Mississippi, claimed the early attention of the Department. The execution of the two first of these works was placed under the superintendence of Officers of the Corps of Engineers. The first is nearly completed, and preparatory arrangements have been made for the early execution of the second. An Officer, also, of the Corps, was assigned to the execution of the Act for the improvement of the navigation of the Ohio, so far as it authorized an experiment to be made in removing the sand bars which obstructed the navigation of that river. The Officer was prepared to make the experiment, but the river remained too full during the fall for a fair trial. Under the other provisions of the Act, directing measures to be taken to remove the snags, sawyers, and planters, which obstruct the navigation of the Ohio and Mississippi, a contract has been formed, with a Gentleman experienced in their navigation, to free both of those rivers from all such obstructions, in conformity with the provisions of the Act, for the sum of 60,000 dollars, to be paid on the execution of the work. In the contract it is stipulated, that it shall be executed under the superintendence and inspection of an Officer of the Corps of Engineers.

In order to carry into effect the Act of Congress of the 30th of April last, authorizing the President "to cause the necessary surveys, plans, and estimates to be made, of the routes of such roads and canals as he may deem of national importance in a commercial or military point of view, or necessary to the transportation of the public mail," a Board was constituted, consisting of General Bernard and Colonel Totten, of the Engineer Corps, and John L. Sullivan, an experienced civil Engineer. It became necessary, in giving orders to the Board, under the Act, to determine what routes for roads and canals were of "national importance," in the views contemplated by the Act, as such only as the President might deem to be of that de-



scription were authorized to be examined and surveyed. In deciding this point it became necessary to advert to our political system, in its distribution of powers and duties between the General and State Governments. In thus regarding our system, it was conceived that all of those routes of roads and canals which might be fairly considered as falling within the province of any particular State, however useful they might be in a commercial or political view, or to the transportation of the mail, were excluded from the provisions of the Act. The States have important duties to perform, in facilitating, by means of roads and canals, commercial and political intercourse among their Citizens; and within the spheres of these duties they are more competent to act than the General Government; and there can be no rational doubt, but that, as the population and capital of the several States increase, these powerful means of developing their resources will receive from their respective Legislatures due attention. But, as numerous as this class of improvement is, and important as it may be to the General Government, in the discharge of the various duties confided by the Constitution to it, there are other improvements not comprehended in it, of a more general character, which are more essentially connected with the performance of its duties, while they are less intimately connected with those belonging to the State Governments, and less within their power of execution. It is believed that this class, and this only, was comprehended in the provisions of the Act. In projecting the surveys in this view of the subject, the whole Union must be considered as one, and the attention directed, not to those roads and canals which may facilitate intercourse between parts of the same State, but to those which may bind all of the parts together, and the whole with the centre, thereby facilitating commerce and intercourse among the States, and enabling the Government to disseminate promptly, through the mail, information to every part, and to extend protection to the whole. By extending those principles, the line of communication, by roads and canals, through the States, the General Government, instead of interfering with the State Governments within their proper spheres of action, will afford (particularly to those States situated in the interior) the only means of perfecting improvements of a similar description, which properly belong to them.

These principles being fixed, it only remained to apply them to our actual geographical position, to determine what particular routes were of "national importance," and which, accordingly, the Board should be directed to examine, in order to cause surveys, plans, and estimates to be prepared, as directed by the Act.

The first and most important was conceived to be the route for a Canal extending from the seat of Government, by the Potomac, to the Ohio river, and thence to Lake Erie; and, accordingly, as soon as the Board was organized, it was ordered to examine and cause this im-

portant route to be surveyed. Dr. William Howard and Mr. James Shriver, both of whom were well acquainted with the localities of the route, were associated as assistants with the Board. Two topographical brigades (all that could be spared from the survey of the coast, for the purpose of fortification), and one brigade of surveyors, under Mr. Shriver, were placed under the orders of the Board.

The examination of the route was completed in September; but the survey will not be finished till the next season. That part of it, however, which is most interesting, the section of the summit level of the Alleghany, including its eastern slope, is completed, which, it is hoped, will enable the Board to determine, during the present winter, on the practicability of the project. Should it prove practicable, its execution would be of incalculable advantage to the Country. It would bind together, by the strongest bond of common interest and security, a very large portion of this Union: but, in order fully to realize its "importance in a national point of view," it will be necessary to advert to some of the more striking geographical features of our Country.

The United States may be considered, in a geographical point of view, as consisting of three distinct parts; of which the portion extending along the shores of the Atlantic, and back to the Alleghany mountains, constitutes one; that lying on the Lakes and the St. Lawrence another; and that watered by the Mississippi, including its various branches, the other. These several portions are very distinctly marked by well defined lines, and have naturally but little connexion, particularly in a commercial point of view. It is only by artificial means of communication that this natural separation can be overcome; to effect which much has already been done. The great Canal of New-York firmly unites the Country of the Lakes with the Atlantic, through the channel of the North River; and the National Road from Cumberland to Wheeling, commenced under the administration of Mr. Jefferson, unites, but more imperfectly, the Western with the Atlantic States. But the complete union of these separate Parts, which geographically constitute our Country, can only be effected by the completion of the projected Canal to the Ohio and Lake Erie, by means of which the country lying on the Lakes will be firmly united to that on the Western waters, and both with the Atlantic States, and the whole intimately connected with the centre. These considerations, of themselves, without taking into view others, fairly bring this great work within the provision of the Act directing the surveys; but, when we extend our views, and consider the Ohio and the Mississippi, with its great branches, but as a prolongation of the Canal, it must be admitted to be not only of national importance, but of the very highest national importance in a commercial, military, and political point of view. Thus considered, it involves the completion of the improve-

ments of the navigation of both these rivers, which has been commenced under the appropriation of the last Session of Congress; and, also, Canals round the Falls of the Ohio at Louisville, and Muscle Shoals on the Tennessee river; both of which, it is believed, can be executed at a moderate expense. With these improvements, the projected Canal would not only unite the three great sections of the Country together, as has been pointed out, but would also unite, in the most intimate manner, all of the States on the Lakes and the Western waters among themselves, and give complete effect to whatever improvement may be made by those States individually. The advantages, in fact, from the completion of this single work, as proposed, would be so extended and ramified throughout these great divisions of our Country, already containing so large a portion of our population, and destined, in a few generations, to outnumber the most populous States of Europe, as to leave in that quarter no other work for the execution of the General Government, excepting only the extension of Cumberland Road from Wheeling to St. Louis, which is also conceived to be of "national importance."

The route which is deemed next in importance in a national point of view, is the one extending through the entire tier of the Atlantic States, including those on the Gulf of Mexico. By adverting to the division of our Country through which this route must pass, it will be seen that there is a striking difference in geographical features between the portions which extend south and north of the seat of Government, including the Chesapeake Bay, with its various arms in the latter division. In the northern part of the division, all of the great rivers terminate in deep and bold navigable estuaries, while an opposite character distinguishes the mouths of the rivers in the other. This difference gives greater advantage to improvement, by canal, in the northern, and less in the southern division. In the former, it is conceived to be of high national importance to unite its deep and capacious bays by a series of Canals; and the Board was accordingly instructed to examine the routes for Canals between the Delaware and the Rariton, between Barnstable and Buzzard's Bays, and Boston harbour and Naraganset Bay. The execution of the very important link, in this line of communication between the Delaware and the Chesapeake, having been already commenced, was not comprehended in the order. These orders will be executed by the Board before the termination of the season. The important results which would follow from the completion of this chain, in a commercial, military, and political point of view, are so striking, that they need not be dwelt on. It would at all times, in peace and war, afford a prompt, cheap, and safe communication between all the States north of the seat of Government, and greatly facilitate their communication with the centre of the Union. The States of New-Hampshire and Maine, though lying beyond the

point where these improvements would terminate, would not, on that account, less participate in the advantages, as they are no less interested than Massachusetts herself, in avoiding the long and dangerous passage round Cape Cod, which would be effected by the union of Barnstable with Buzzard's Bay.

In the section lying south of this, none of these advantages for communication by canals exist. A line of inland navigation extends, it is true, along nearly the whole line of coasts which is susceptible of improvement, and may be rendered highly serviceable, particularly in war, and on that account may be fairly considered of "national importance." The Dismal Swamp canal, from the Chesapeake Bay to Albemarle Sound, which is nearly completed, constitutes a very important link in this navigation. But it is conceived, that for the Southern Division of our Country, the improvement which would best effect the views of Congress, would be a durable Road, extending from the seat of Government to New-Orleans, through the Atlantic States; and the Board will accordingly receive instructions to examine the route as soon as the next season will permit.

The completion of this work, and the line of canals to the north, would unite the several Atlantic States, including those on the Gulf, in a strong bond of union, and connect the whole with the centre, which would also be united, as has been shown, with those on the Lakes and Western Waters, by the improvement projected in that quarter.

These three great works, then, the Canal to Ohio and Lake Erie, with the improvement of the navigation of the Ohio, Mississippi, and the Canal round the Muscle Shoal; the series of Canals connecting the Bays north of the seat of Government, and a durable Road extending from the seat of Government to New-Orleans, uniting the whole of the Southern Atlantic States, are conceived to be the most important objects within the provisions of the Act of the last Session. The beneficial effects which would flow from such a system of improvement, would extend directly and immediately to every State in the Union; and the expenditure that would be required for its completion, would bear a fair proportion to the wealth and population of the several Sections of the Country, at least, as they will stand a few years hence. When completed, it would greatly facilitate Commerce and intercourse among the States, while it would afford to the Government the means of transmitting information, through the mail, promptly to every part, and of giving effectual protection to every portion of our widely extended Country.

There are several other Routes which, though not essential to the system, are deemed of great importance in a Commercial and Military point of view, and which the Board will receive instructions to examine. Among these, the most prominent is the connexion, wherever



it may prove practicable, of the Eastern and Western Waters, through the principle rivers discharging themselves into the Atlantic and the Gulf of Mexico: for example, the Alabama and Savannah rivers with the Tennessee, James river with the Kenawa, and the Susquehanna with the Alleghany; which last will be more particularly adverted to in a subsequent part of the Report. To these we may add the route from Lake Champlain to the St. Lawrence, and from the river St. John across Florida Neck, to the Gulf of Mexico. They are both deemed important; but the latter particularly so. Should it prove practicable, its beneficial effects would be great, comprehensible, and durable. The whole of the Atlantic and Western States would deeply partake in its advantages. Besides the facility of intercourse which it would afford between those States, our Trade with Mexico, Guatimala, and the central parts of the Continent, would not only be greatly facilitated, but rendered much more secure.

The Board have, besides those already mentioned, examined, in conjunction with Pennsylvania Commissioners, a route for a Canal from the Alleghany to the Susquehanna. In addition to the importance of this route to a large portion of the West, and the State of Pennsylvania, it was thought to possess other and strong claims on the attention of the Government. It is believed to be one of the most promising routes to cross the Alleghany by a canal communication; and should that by the Potomac prove impracticable, it might afford the means of effecting the great objects intended by the canal projected by that route.

When the various Routes to which I have referred are examined and surveyed, and plans and estimates formed, in conformity with the directions of the Act, it will present so full a view of the whole subject, as will enable Congress to commence and complete such a system of internal improvement as it may deem proper, with the greatest possible advantage.

In conclusion, I have to remark, that experience has shewn that the Corps of Engineers is too small to perform the various duties which are assigned to it. Its duties have been more than trebled since its establishment, and are increasing every year. During the present year much inconvenience has been experienced for the want of a sufficient number of Officers, notwithstanding every Officer of the Corps has been on active duty during the season.

I have the honour to remain, &c.

J. C. CALHOUN.

To the President of The United States.

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LIST OF DOCUMENTS.

A.—Report of Major-General Brown, concerning the organization, distribution, and disbursement, &c. of the Army, from A. to E.

B.—Report of the Quartermaster-General, with accompanying Statement A.

C.—Report of the Commissary-General of Subsistence, with Statement A.

D.—Report of the Paymaster-General.

E.—Report of the Surgeon-General.

F.—Report of the Commissary-General of Purchases, with Statements 1, 2, 3, 4 and 5.

G.—Report of the Engineer Department, with Report of the Board of Visitors, on the state of the Military Academy, marked A, and Extract from their Journal, marked B, C, and D, and Tables G, H, and I.

H.—Report of the Ordnance Department, with statements from A. to F.

I.—Statement concerning Pensions.

J.—Statements of Bounty Lands.

K.—Statement of Indian Affairs.

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(A.)—*REPORT of Major General Brown.*

HEAD QUARTERS OF THE ARMY.

*Washington, 20th Nov. 1824.*

SIR,—Agreeably to your instructions of the 1st inst., I have the honour to lay before you the Returns and Statements following, viz.

A.—A Statement of the Organization of the Army, agreeably to the Act of Congress of 2d March 1821.

B.—A Return of the Strength of the Army, from the last Regimental and other Returns, received at Head-quarters.

C.—A Return showing the Distribution of the Troops in the Eastern Department.

D.—A Return showing the Distribution of the Troops in the Western Department.

E.—A Statement showing the number of men enlisted, the amount of money advanced for the purposes of recruiting, and the amount for which recruiting accounts have been rendered for settlement, from 1st October 1823, to 30th September 1824.

By Statement E. it will be seen, that 5,224 dollars, 87, remains unexpended in the hands of Recruiting Officers. This Sum is now in a course of application to the Recruiting Service; and there is no doubt, from the promptitude and correctness of the Recruiting Officers, that it will, when the proper time arrives, be regularly accounted for.

Brevet-Major General Gaines is just completing a Tour of Inspection, embracing the Posts on the Upper and Lower Lakes; but his Report has not been received.

During the early part of the year, a Tour of Inspection was performed by Brevet Major-General Scott, embracing the Posts on the

Florida Gulf, and the Mississippi river, commencing at Fort St. Philip, below New Orleans, and terminating at Fort St. Anthony.

During the months of March, April, and May, Colonel Wool inspected all the Posts on the Atlantic Coast between Savannah, Georgia, and Portsmouth, N. H. During the months of June, July, and August, he inspected the Posts of Sackett's Harbour, Niagara, Detroit, Sault St. Marie, and Green Bay.

Colonel Archer has inspected the Posts of Baton Rouge, New Orleans, Fort St. Philip, Petite Coquille, Pensacola, and all the Posts on the Atlantic Frontier, between Washington City, and Fort Sullivan, Me. including the National Armory, at Springfield, Mass.

The Reports of Inspections, performed by the Commanding Officers of the Artillery Regiments, are not yet received.

The general Condition of the Army, the state of its Discipline, Administration, &c. are as favourable as could be expected. The Infantry Regiments have perhaps attained as much excellence as is compatible with the state of dispersion which naturally grows out of the physical relations of the Country, and the exigencies of the Public Service. In the Artillery Regiments, an important accession of scientific and experimental knowledge is to be expected from the school of practice, which has gone into operation at Fortress Monroe.

In addition to the intelligence which I have above presented, in obedience to your instructions, I have thought proper to submit for your consideration some reflections upon a subject connected, in the most intimate manner, with the welfare of the Army; I mean the evil of Desertion, an evil which has grown to a serious magnitude, and exerts an unhappy influence upon the numerical force and efficiency of the Army; upon its moral character, and upon the Fund appropriated by the Government for its support. Its effect upon the numerical force and sufficiency of the Army is, by withdrawing from the ranks a large number of men, of whom the greater part succeed in eluding the vigilance of pursuit, and the residue are devoted to hard labour and imprisonment in Garrison, which are the highest penalties awarded to the crime: in either case their services as Soldiers are lost to the Army. Its effect upon the moral character of the Army is, to degrade the spirit of the profession by relaxing its moral ties, and by merging the infamy of the crime in the multiplication of example. Its effect upon the Fund appropriated to the support of the Army is, by increasing the expenditure of the Recruiting Service, from the necessity of keeping the Ranks of the Army full, by providing a Recruit at a considerable expense, to supply the place of every Deserter who eludes apprehension.

The comforts which the Soldier enjoys from the liberal provision of the Government, his exemption from all arbitrary restraint, and the mildness and regularity which distinguish the administration of the

Army, leave no imaginable cause for the prevalence of Desertion but the inadequacy of the punishment annexed to it by law. In time of War it is suppressed by the infliction of capital punishment; but it has not been customary to inflict the sentence of death upon Deserters in time of Peace. Before the late War, punishment by stripes operated as a partial, if not an efficient restraint; but this mode of punishment was abolished by law, at a time when it was deemed necessary, in order to engage individuals of respectable connexions, and elevated spirit, to enter the ranks, to expunge from the government of the Army every feature which was repugnant to the moral elevation of man. It has been my opinion that it would become necessary, if the Government should continue to enlist into the Army, Foreigners, who have generally been accustomed to the lash, and cannot easily be governed without it, to revive, by law, the punishment by stripes, under the discretion of our Courts Martial; but, as you have consented to the prohibition of their enlistment, it is at least due to the character of our Native Soldiery, to make a further experiment to govern them without resorting to expedients which are not altogether in harmony with the genius of our Institutions, or the spirit of the Age.

Experience having proved that the established system of punishment is inadequate to the suppression of the crime, and that it is in vain to rely altogether upon the influence of moral obligation, I can conceive no other mode of securing the fidelity of the Soldier than by creating an artificial interest which will bind him to the service. With a view to this object, I would recommend that provision be made by law to retain a portion of his Monthly Pay in the hands of the Government, until the expiration of his term of enlistment, and to make an honourable discharge the condition of its payment. The smallest portion which I would advise to be retained, is One Dollar per month, and the largest portion Two Dollars. A sum smaller than the former would be inadequate to produce in the Soldier the necessary interest; and a sum larger than the latter would make too serious an inroad upon his comforts. Assuming the medium, One Dollar and Fifty Cents, as the proper standard, let us examine its influence upon the Army and the Public Treasures. At the expiration of his first year's service, every Soldier would have in the possession of the Government Eighteen Dollars; at the end of the second year, Thirty-six Dollars; and at the expiration of his term of enlistment, Ninety Dollars. The regular monthly increase of the Sum in expectancy, would be a constantly increasing motive to a faithful performance of his duties; and he would be confirmed in his course of fidelity and obedience to the laws, by the consideration that an honourable discharge would put him in possession of a Sum sufficient to sustain him in transferring his industry, if he should think proper, to a new pursuit. In the mean time, if he should desert, the sum



retained from his pay, would in some cases be sufficient, and in all cases go far towards enabling the Government to provide a recruit to supply his place. Thus, the expense of filling vacancies occasioned by a violation of the laws, would principally fall, as in justice it ought, upon the offenders themselves, and not upon the public, against which the offence is committed.

The more I reflect upon this subject, the more firmly I am strengthened in the conviction that the frequency of desertion will be materially abridged by the measure which I have the honour to suggest. If my position is correct, it will be apparent that the efficiency of the Army will be augmented, that its moral character will be elevated, and that the branch of Public Expenditure heretofore referred to will be brought within the smallest limits to which under the most favorable circumstances, it is susceptible of being reduced. If it should be found by experience that this measure is ineffectual, and that it is necessary by severe and humiliating penalties, to punish, where interest and the sense of moral obligation are inadequate to restrain, it will be a consolation to reflect, when we are compelled to have recourse to expedients like these, that those of a milder character have been exhausted.

I have the honour to be, &c.

JAC. BROWN.

Hon. J. C. CALHOUN, *Secretary of War.*

(A.)—*Organization of the Army of The United States, agreeably to Act of 2nd March, 1821.*

GENERAL STAFF.	ENGINEER DEPARTMENT.
1 Major General.	
2 Brigadier Generals.	
1 Adjutant General.	
2 Inspectors General.	10 Topographical Engineers and
1 Quartermaster General.	Assistants.
2 Quarter Masters.	1 Colonel.
1 Com. Gen. of Subsistence.	1 Lieutenant.
1 Pay Master General.	2 Majors.
14 Pay Masters.	6 Captains.
1 Com. Gen. of Purchases.	6 First Lieutenants.
2 Military Storekeepers.	6 Second Lieutenants.
1 Surgeon General.	—
8 Surgeons.	32
45 Assistant Surgeons.	
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82	

ARTILLERY.		INFANTRY.	
<i>Four Regiments, each consisting of</i>		<i>Seven Regiments, each consisting of</i>	
1 Colonel.		1 Colonel.	
1 Lieutenant Colonel.		1 Lieutenant Colonel.	
1 Major.		1 Major.	
9 Captains, 4 add. for ord- nance.		10 Captains.	
18 First Lieutenants.		10 First Lieutenants.	
18 Second Lieutenants.		10 Second Lieutenants.	
1 Sergeant Major.		1 Sergeant Major.	
1 Quarter Master Sergeant.		1 Quarter M. Sergeant.	
36 Sergeants.		30 Sergeants.	
36 Corporals.		40 Corporals.	
18 Musicians.		2 Principal Musicians.	
27 Artificers.		20 Musicians.	
378 Privates.		420 Privates.	
—		—	
545		547	
RECAPITULATION.			
General Staff .....		82	
Engineer Department.....		32	
Four Regiments of Artillery, each 545.....		2,180	
Sub. for Ordnance, 4 Captains, 56 Labourers .....		60—2,240	
Seven Regiments of Infantry, each 547.....		3,829	
		Total.....	
		6,183	

(G.)—*REPORT of the Engineer Department.*

SIR,

*Engineer Department, Nov. 20, 1824.*

IN pursuance of your instructions, dated the 1st inst. to report the “the application of the appropriation of the last Session, for Fortifications to the several Works, and the expenditures necessary for their completion, and also a statement of the work performed on Fortifications within this year, ending 30th September last; the Works remaining to be commenced, according to the plans of the Board of Engineers; the estimates of the Board of Engineers for those Works, the progress of the Board of Engineers in its labours, comprehending the operations of the Topographical Engineers, from the commencement of the year; the progress of the Board of Internal Improvements, comprehending the operations of the Topographical Engineers, under the Act of 30th of April last, to procure the necessary surveys, plans, and estimates, upon the subject of Roads and Canals; the Act of the 24th of May last, to improve the navigation of the Ohio and Mississippi rivers; the Act of the 26th of May last, for deepening the channel leading into the harbour of Presqu’ Isle, and for repairing Plymouth Beach; the condition of the Military Academy, including its present number, and the number which graduated last year; the amount

drawn for the three first quarters of this year, under the several heads of appropriation, and the amount of accounts rendered and passed to the auditor for settlement in the same period." I have the honour to make the following Report, viz.:

I beg leave to refer to the accompanying Tables, marked G. H. and I. for part of the information above required.

Table G. exhibits "the application of the appropriation of the last Session, for Fortifications to the several Works, and the expenditures necessary for their completion." It shows that of the amount appropriated, 620,000 Dollars, the sum of 312,477 Dollars 86 was expended in the three first quarters of the year, leaving the sum of 307,522 Dollars 14 to be expended.

Table H. exhibits the amount drawn for the three first quarters of this year, added to the amounts in the hands of Agents on the 1st of January last, applicable to the several objects designated; and the amount of accounts, relating to those objects, rendered and passed to the auditor for settlement in the same period.

Table I. exhibits "the Works remaining to be commenced, according to the plans of the Board of Engineers, and the estimates of the Board of Engineers for these Works."

The work performed on fortifications within this year ending on the 30th of September, will be found in the following summary statements, in relation to each fortification. Two of those fortifications, that at Brenton's Point, in the harbour of New Port, Rhode Island, and that at New Utrecht Point, in the harbour of New York, were commenced this year.

The work at Brenton's Point was commenced under the authority of an appropriation of 50,000 dollars, for purchasing the site, and collecting materials. The site has been purchased and enclosed; the construction of a wharf, and other arrangements for collecting materials have been commenced, and some materials have been collected.

The work at New Utrecht Point was also commenced under the authority of an appropriation of 50,000 dollars, for purchasing the site and collecting materials. The greater part of the land required for a site for this work is already owned by The United States. The small addition to be procured has not yet been obtained. The proprietor holds it at a price much above what is conceived to be its value, and several attempts to negotiate with him having failed, an appeal has been made, through the Governor, to the Legislature of New York, to appoint assessors, to determine the value. Extensive arrangements, for the collection of materials, are in progress. The wharf has been repaired, and a railway, to extend from it to the top of the bank, a height of forty-five feet, has been commenced, together with trucks to be used upon it. Other arrangements have been made, and a few materials have been collected.

At Fort Monroe, the progress of the operations during the year has

been steady and satisfactory. The work is of great extent, and yet all parts of it have been, in a more or less degree, advanced, and in some parts the main walls have been completed. Additional permanent quarters have been built, and the construction of a permanent hospital has been commenced.

It had been contemplated to lay the foundation of the walls of Fort Calhoun during this season, and arrangements were made accordingly, but they could not be carried into effect, for the want of an Officer to superintend them. No disadvantage, however, is likely to arise from the delay; on the contrary, if the mole, which is the pile of stones upon which the structure is to be built, has not thoroughly settled, which is possible, although not probable, there will be afforded additional time for it to acquire the requisite solidity.

The work at Mobile Point was conducted this year under favourable circumstances, and the results reported are very satisfactory, notwithstanding that some interruption was occasioned by the suspension of the operations at one of the brick yards, which had been relied on for the supply of bricks. The difficulty of procuring bricks in sufficient quantities, and of proper quality, has heretofore constituted the chief obstacle to the prosecution of the work at Mobile Point. During the last year, the old brick yards in the vicinity of Mobile Point have been enlarged and improved, and several new ones have been established. The effect of these changes is already manifest in the improvement of the quality and the reduction of the price of that material. The supply of materials on hand, with such additions as the existing sources of supply may be relied on to furnish, afford the fullest assurance, that the difficulties heretofore experienced for the want of them are not likely to recur.

The operations at Chef Menteur have been very well advanced this year, although they have been retarded by the sickness which prevailed there during the summer and fall, which was so general that only one individual at the work escaped.

The sickness which was still greater at Fort Jackson, on the Mississippi, and proved fatal to a number of workmen and military convicts employed at hard labour. In consequence of this circumstance, less work has been done than was expected; but arrangements have been made, calculated to impart additional vigour to the operations during the season favourable to their prosecution, and by that means to complete, before the ensuing spring, the expenditure of the residue of the appropriation.

I regret to state that the anticipation that Fort Delaware would be completed out of the appropriation of 1823, has not been realized. In making that representation in the report of last year, this Department was governed by the Report of Major Babcock, the Superintending Engineer, but experience has proved that his estimates were erroneous.



It is also with regret that I state that the final inspection of the Board of Engineers, upon the execution of the work has not been creditable to the Officer; besides the erroneous estimates, he had deviated from the plan in several particulars, to the injury of the work. His conduct was considered so reprehensible, that a Court of Inquiry, to investigate it, was ordered, and it being conceived that the opinion of the Court lay the just foundation for further measures, a Court Martial was ordered to try Major Babcock, on charges growing out of his conduct, as Superintendent, of which however he was acquitted, on the belief of the Court that the errors were errors of judgment and not intentional.

The occurrence has been one of mortification to the Department, but it feels a thorough conviction that Fort Delaware is the only one of the fortifications, which, on final inspection, will be found to be defective, either in workmanship, or in want of conformity to the plans. This particular work was commenced at an early period, before the commencement of the present system, and the errors that have been committed may at least in some degree be attributed to the incomplete state of the system under which it was commenced.

The foregoing exhibits the progress of the Fortifications during the year, with the exception of some repairs that were made to Castle William, in New York harbour.

The Officers composing the Board of Engineers for Fortifications, have been engaged, during this year, chiefly in the duties of the Board for Internal Improvements, of which, also, they are members. During the early part of the year, they were employed in the consideration of a project for the defence of the Eastern Section of the Coast of Maine—in preparing plans and estimates for Fortifications for Portland, in Maine; Portsmouth, in New Hampshire; Beaufort and Cape Fear River, in North Carolina, and Charleston, in South Carolina. They also inspected Fort Delaware and Fort Washington. A portion of the Topographical Engineers under their instructions, has been employed in the prosecution of surveys at St. Mary's on the Potomac; on the Patapsco, and in the harbour of Charleston, in South Carolina, and its vicinity; and, also, in the preparation of drawings relating to those surveys, and to others previously made.

Under the Act of Congress, of the 30th April last, "to procure the necessary surveys, plans, and estimates, upon the subject of Roads and Canals," the Board of Engineers for Internal Improvements have made the requisite examinations in relation to routes for Canals contemplated to be established between the Chesapeake and Ohio, the Ohio and Lake Erie, (east of Cuyahoga and Great Beaver), the Alleghany and Susquehanna, the Susquehanna and Schuylkill, the Delaware and Rariton; and are now engaged in examining the routes between Buzzard's and Barnstable Bays, and Narragansett Bay, and

Boston harbour. The requisite surveys in relation to the above have been commenced by a portion of the Topographical Engineers, and by Civil Engineers on the route between the Chesapeake and Ohio; and the greater part of those on the Eastern slope have been completed.

Under the Act of the 24th of May last, to improve the navigation of the Ohio and Mississippi rivers, arrangements were prepared, under the superintendence of an Officer of the Topographical Engineers, to carry into effect the first section, by making one of the required experiments over the sand-bar below Henderson, being one of those designated; but the river, when at its lowest stage last summer, being much higher than the ordinary level, at the lowest stage, it was conceived that a fair experiment could not be made, and it was accordingly postponed until the state of the river should be more favourable. To carry into effect the second Section, a contract has been made with Mr. John Bruce, of Kentucky, to remove all snags, sawyers, and planters, in the Ohio, between Pittsburgh and its junction with the Mississippi, and in the Mississippi between the mouth of Missouri and New Orleans, the execution of which during its progress will be superintended by an Officer of the Corps of Engineers, who has been ordered to Pittsburgh to be in readiness for that service.

Under the Act of the 26th of May last, making appropriations for deepening the Channel leading into the harbour of Presqu'isle in Pennsylvania, for repairing Plymouth Beach, in Massachusetts, Officers of the Corps of Engineers were assigned to superintend the fulfilment of those objects, but were prevented, by unavoidable circumstances, from entering upon their respective duties before the month of August. It was found, after collecting materials, and making other preliminary arrangements at Presqu'isle, that the season had advanced too far, and the weather had become too cold, to authorize the commencement of the construction, the first stage of which would be driving piles, an operation that would require exposure in the water. The construction at Presqu'isle, therefore, will not be commenced until the next spring, unless it should be found to be practicable to drive the piles through the ice in the ensuing winter. The success of a partial experiment, lately made, has thoroughly satisfied the Engineer having the superintendence of the work, of the feasibility and efficiency of the plan, to fulfil the purposes for which it is intended.

The repair of Plymouth Beach, although commenced too late to admit of its being completed this season, has been three fourths finished, and has put the Beach in a condition to afford very important, if not adequate, protection to the harbour, for the present.

The Military Academy not only continues to sustain the high character for discipline and scientific attainment which was exhibited in the last Annual Report, but has evidently improved in its general condition. At the last June examination, before a numerous and scien-

tific Board of Visitors, a very favourable exhibition of the attainments of the Cadets confirms this opinion. The number of Cadets now at the Academy is 254, and the number of those which were graduated and promoted into the Army last year, is 31.

Notwithstanding the Military Academy progresses with remarkable success, under the present system established for its government by the War Department, it is evident that the institution is susceptible of further improvements in its organization. These improvements have suggested themselves in the course of experience, and can be effected by legislative provision only.

This subject has been particularly noticed by the Board of Visitors who examined the Military Academy, in June last. I take the liberty of presenting, herewith, a Copy of their Report marked A. with extracts from their Journal of proceedings marked B. C. and D. and beg leave to refer you to them, and also to my Report and the accompanying Documents on the same subject, dated the 21st of February last, which has been published among the State Papers of the 1st Session of the 18th Congress, in the 6th volume, article No. 111.

From the growing importance, as well as from the extension of the duties assigned to the Engineer Department, it is evident that the number of Officers attached to it is inadequate to the fulfilment of all that is required of it, and in consequence, the Department is under the necessity of employing individuals in civil life, at a rate of compensation far above that paid to the regular Officers of the Department. I therefore respectfully submit to your consideration, whether, under the increasing demands for the services of the Engineers, an augmentation of their numbers would not at this time be expedient, both on the score of economy and the faithful execution of the enlarged duties required of the Department. The whole number of the Officers of the Corps of Engineers, is 22, and of the Topographical Engineers, 10—a small number, when compared with the importance, extent, and variety of objects committed to the direction of the Engineer Department.

Respectfully submitted.

ALEX. MACOMB, Maj. Gen. Chief Engineer.

The Hon. J. C. CALHOUN, Secretary of War.

*Documents from the Navy Department.*

*The Secretary of the Navy to the President of The United States.*

SIR,

*Navy Department, Dec. 1, 1824.*

I have the honour to present to you the following Report, exhibiting the administration of this Department, during the present year.

There are now in commission for the Sea Service, the vessels named in paper A, subjoined to this Report.

Nothing worthy of particular observation has occurred with our Squadron in the Mediterranean.

It has been maintained at the extent which was proposed in the Report of last year, and has afforded the necessary protection to our Commerce there. The unfriendly relations, however, which exist between Algiers and some of the Governments of Europe, and the effects not unlikely to be felt upon our Political and Commercial Interests in that quarter, with other important considerations, have been supposed to render it expedient to augment our force. With this view, the *North Carolina* has been prepared, and will sail in a few days. The Squadron will then consist of the Ship of the line *North Carolina*, Frigate *Constitution*, Corvette *Cyane*, the Sloops of War *Erie* and *Ontario*, and schooner *Nonsuch*; and will be under the command of Commodore Rodgers, who has been, for several years past, the President of the Board of Navy Commissioners, and whose high qualifications are so well known and justly estimated by the Nation.

Our Naval Force in the Atlantic and Gulf of Mexico, has continued under the command of Commodore Porter. By direction of the Department, he has, from time to time, despatched one of the vessels of his Squadron to the Coast of Africa, to touch at Cape Mesurado, minister to the wants of the Agency there, and return by the usual track of the Slave ships. None of these, or any other of our Public ships, have found vessels engaged in the Slave Trade, under the Flag of The United States, and in such circumstances as to justify their being seized and sent in for adjudication: and, although it is known that the Trade still exists, to a most lamentable extent, yet, as it is seldom, if ever, carried on under our own Flag, it is impossible with the existing Regulations and Instructions, to afford very efficient aid in exterminating it. That object can only be accomplished by the combined effort of the Maritime Nations, each yielding to the others the facilities necessary to detect the traffic under its own Flag. The Agency for recaptured Africans has been maintained in the same manner as in the last year. The eleven negroes which were taken from Captain Chase, at Baltimore, and sent to the Agency, were restored to their homes, under circumstances very gratifying to humanity, and calculated to produce a good effect upon their several Tribes. The near relations of some of them were on the shore when they arrived, manifested much sensibility at their unexpected return, and furnished safe means of restoring them to their families.

The Agent, Dr. Ayres, was compelled, by enfeebled health, to return to The United States, and left Mr. Ashmun as acting Agent: he likewise was obliged, by the same cause, to be absent for a time; inconveniences necessarily resulted, and it was thought expedient to send the Rev. Mr. Gurley to examine into the situation of the Agency, with directions to make certain arrangements, should circumstances



require them. His Report, marked B, with other papers, will be annexed, should his health enable him to make it in time, and will show the condition and prospects of the Agency. The principal difficulties which have been encountered there, have arisen from the want of a fit position and suitable accommodations for the Agent and the recaptured Africans, on their arrival on the coast. These difficulties have been, in a great degree, overcome, and will, with the expence, be regularly diminished, as the Establishment made by the Colonization Society increases, and is rendered more permanent and well regulated, furnishing facilities for all the objects for which the Agency was created. The expenditures during the year, so far as they are yet known, of the appropriation for the prohibition of the Slave Trade, has amounted to 15,326 Dollars, 02, and there remains, of that Fund, a balance of 47,391 Dollars, 39.

The manner in which the Force assigned to the protection of our Commerce, and the suppression of Piracy in the West Indies, has been employed, will be seen by the annexed Letters and Reports of Commodore Porter, marked C. The activity, zeal, and enterprize of our Officers, have continued to command approbation. All the vessels have been kept uniformly and busily employed, where the danger was believed to be the greatest; except for short periods, when the Commander supposed it necessary that they should return to The United States, to receive provisions, repairs, and men, and for other objects essential to their health, comfort, and efficiency. No complaints have reached this Department, of injury from Privateers of Porto Rico, or other Spanish Possessions, nor have our cruisers found any violating our rights. A few small Piratical vessels, and some boats, have been taken, and establishments broken up, and much salutary protection afforded to our Commerce. The Force employed, however, has been too small, constantly to watch every part of a coast so extensive as that of the islands and the shores of the Gulf of Mexico, and some Piratical depredations have therefore been committed; but they are of a character, though, perhaps, not less bloody and fatal to the sufferers, yet differing widely from those which first excited the sympathy of the public, and exertions of the Government. There are few, if any, Piratical vessels of a large size in the neighbourhood of Cuba, and none are now seen at a distance from the land; but the Pirates conceal themselves, with their boats, in small creeks, bays, and inlets, and finding vessels becalmed, or in a defenceless situation, assail and destroy them. When discovered, they readily and safely retreat into the country, where our Forces cannot follow, and, by the plunder which they have obtained, and which they sell at prices low and tempting to the population, and by the apprehensions, which they are able to create in those who would otherwise give information, they remain secure, and mingle at pleasure, in the business of the Towns, and transactions of Society, and acquire all the information necessary to accomplish their

purposes. Against such a system, no Naval Force, within the control of this Department, can afford complete security, unless aided by the cordial, unwavering, and energetic co-operation of the local Governments; a co-operation which would render their lurking places on land unsafe, and make punishment the certain consequence of detection. Unless this co-operation be obtained, additional means ought to be entrusted to the Executive, to be used in such manner as experience may dictate.

The health of the Squadron, and of Thompson's Island, has been much better than during the last season; yet many of our Officers, and among them Commodore Porter, have suffered severely from disease, and several have died: most of the latter have fallen victims to the necessity, real, or imagined, of visiting unhealthy places upon shore, which they were warned as much as possible to avoid, and which a sense of duty, no doubt, induced them to visit. A list of those who have died during the year, on that and other stations, will be annexed, marked D.

Some improvements have been made, and others are proposed, at Thompson's Island, by cutting the timber, clearing and draining the ground, and building storehouses, and, if the means are afforded, it is confidently believed that it will be made comparatively comfortable and healthy, before the next summer and fall. A balance of 28,784 Dollars, 69, still remains of the appropriation of December, 1822, "authorizing an additional Naval Force for the suppression of Piracy," but claims exist against it, to a large amount, which have not yet been presented.

Two of the small Schooners, the Greyhound and the Jackall, purchased under the authority of that Act, have been found "so much out of repair, that it was not for the interest of The United States to repair them," and were disposed of; and one other, the Wild Cat, it is feared, is lost, with her Officers and Crew, in a passage from Havanna to Key West.

The Force on that Station has been, in this way somewhat reduced, and it has been considered expedient to augment it, by the addition of the Frigate Constellation, which will be ready to join it as soon as men can be enlisted for the purpose. One of the Sloops of War, now in the Mediterranean, will, probably, be ordered there in the spring, should circumstances permit.

The surveys directed by the Act, entitled, "An Act authorizing an Examination and Survey of the Harbour of Charleston, in South Carolina, of St. Mary's, in Georgia, and of the Coast of Florida, and for other purposes," have not yet been completed.

Competent Naval Officers have been ordered upon the service. It was thought useful to unite with them, in a part of the examinations, one or more of the Corps of Engineers, which could not be effected.

On application to the War Department, it was found that all the Officers of that Corps were so engaged, as to prevent the Secretary from detailing even one for this service. It is hoped, however, that such information has, in the mean time been procured, respecting the places named, except St. Mary's, as will accomplish the purpose for which the Law was passed, should Congress act upon the subject at this Session. Should it be proposed, however, to fix upon a site for a Naval Depôt in the Gulf of Mexico, I would respectfully suggest the propriety of entrusting the selection and purchase to the Department, after further and satisfactory surveys shall have been made.

Commodore Stewart, in the Franklin, arrived at New York in the month of August, having left Commodore Hull, with the Frigate United States, the Sloop of War Peacock, and the Schooner Dolphin, in the Pacific. It is hoped that this Force will be able to prevent depredations on our important Commerce in that sea, and secure respect for our Flag. Our Commerce, however, has increased so rapidly there, and is scattered over so large a space, that an addition of one or more vessels would be made, if they were within the control of the Department.

This addition will become indispensable, should the Government be disposed to make permanent provision for the protection of our Commerce, and other interests in the neighbourhood of Colombia river, and on the North-west coast. Constant experience shows the importance of such augmentation of the number of our vessels, as will enable the Government to add to the Force both in the Atlantic and Pacific. Inconveniences are felt, and losses are sustained, by our Citizens in both Oceans, which might be prevented, were the means for their protection enlarged.

In the course of the year, several regulations have been adopted to promote efficiency and economy in the Medical and other Departments of the Service, and some good is anticipated from them. It is impossible, however, to do all which is desired, without the aid of Congress. Several laws seem necessary to render the establishment economical and efficient. Among them are those which were under consideration at the last session, for building 10 Sloops of War and reorganizing the Navy. To these ought to be added a revision of the law for the better government of the Navy and the system of Courts Martial. But especially some provision should be made for the Education and Instruction of the younger Officers. We have now the light of experience on this point in the Army, and its salutary effects are very manifest. Instruction is not less necessary to the Navy than to the Army. I refer to the views taken of some of these subjects in the Reports made during the last Session, and it will be my duty to develop them more fully in answer to a Resolution of the Senate now before me.

The expenditures of the year are submitted in a Report from the

Second Comptroller, marked F, and the Estimates for the next year in one from the Commissioners of the Navy, marked G. In the latter it will be found that Estimates have been made of the expense of certain necessary improvements at Thompson's Island, and for the repairs of four of our Frigates, which policy and economy require to be placed in such a situation, that their services can be commanded whenever they shall be necessary.

We have, at present, no Frigate which could be sent to sea, without large repairs, creating a delay which, under certain circumstances, might be injurious to the Public Interest.

The general Estimate comprehends the several heads of Expenditure in the form supposed to be best fitted for keeping the accounts, with plainness and accuracy, most easily explained, best adapted to a rigid investigation of the Expenses of the Naval Service, and as far as practicable, conformed to the views of the House of Representatives at the last Session, as understood at the Department. It is accompanied by explanatory statements of the several items, in great detail, exhibiting the propriety of the Estimate, and the necessity of the appropriation.

The Estimates for the Marine Corps, with the explanatory Statements, are added and marked H.

I have, &c.

SAMUEL L. SOUTHARD.

*To The President of the United States.*

**A.—VESSELS of The United States Navy in Commission.—1825**

NAMES.	RATE.	No. of Guns.	STATION.
North Carolina....	Ship of the line ..	74	Mediterranean.
Constitution . ....	Frigate .....	44	do.
United States.....	do.....	44	Pacific.
Constellation.....	do.....	36	West India Sea.
John Adams.....	Corvette.....	24	do.
Cyane.....	do.....	24	Mediterranean.
Erie.....	Sloop.....	18	do.
Ontario.....	do. ....	18	do.
Hornet.....	do.....	18	West India Sea.
Peacock.....	do.....	18	Pacific.
Spark.....	Brig.....	12	West India Sea.
Porpoise.....	Schooner.....	12	do.
Grampus.....	do.....	12	do.
Shark.....	do.....	12	do.
Dolphin.....	do.....	12	Pacific.
Nonsuch.....	do.....	12	Mediterranean.
Decoy.....	Store Ship.....	6	West India Sea.
Sea Gull.....	Brig.....	3	do.
Ferret.....	Schooner.....	3	do.
Beagle.....	do.....	3	do.
Weazle.....	do.....	3	do.
Fox.....	do.....	3	do.
Terrier.....	do.....	3	do.



*REPORT from the Secretary of the Treasury, on the state  
of the Finances of The United States.*

SIR, *Treasury Department, December 31, 1824.*

I HAVE the honour to transmit a Report, prepared in obedience to the "Act supplementary to the Act to establish the Treasury Department."

I have the honour, &c.

WM. H. CRAWFORD.

*The Hon. the Speaker, House of Representatives.*

REPORT.

IN obedience to the directions of the "Act supplementary to the Act to establish the Treasury Department," the Secretary of the Treasury respectfully submits the following Report:

*1.—Of the Public Revenue and Expenditure for the years  
1823 and 1824.*

The nett revenue which accrued from duties on imports and tonnage, during the year 1823, amounted (see statement A.)

to.....Dollars 17,008,570 80

The actual receipts into the Treasury during the year 1823, amounted to.....Dollars 20,540,666 26

Viz :

Customs (statement A.) ..... 19,088,433 44

Public lands (statement D.) ..... 916,523 10

Dividends on stock in the Bank of The

United States..... 350,000

Arrears of internal duties and direct

taxes, and incidental receipts (E.)..... 131,951 69

Repayments of advances made in the War Department, for services or supplies, prior to 1st July, 1816..... 53,758 03

Making, with the balance in the Treasury, on the 1st January 1823, of.....Dollars 4,237,427 55

An aggregate of.....Dollars 24,778,093 81

The actual expenditures during the year 1823, amounted to (F.) ..... 15,314,171 —

Viz : Civil, diplomatic, and miscellaneous 2,022,093 99

Military service, including fortifications, ordnance, Indian Department, revolutionary and military pensions, arming the militia, and arrearages, prior to 1st January, 1817 5,258,294 77

Naval service, including the gradual increase of the navy..... 2,503,765 83

Public debt..... 5,530,016 41

Leaving a balance in the Treasury on the  
1st January, 1824, of.....Dollars 9,463,922 81

The actual receipts into the Treasury during the three first quarters of the year 1824, are estimated to have amounted to

Dollars 19,630,893 96

Viz : Customs..... 13,372,268 80

Public lands (statement G.) 768,805 10

Dividends on stock in the

Bank of The United States 350,000 —

Arrears of internal duties and direct taxes,  
and incidental receipts, (H.) 97,321 37

Repayments of advances made in the War Department,  
for services, or supplies, prior

to 1st July, 1816,..... 42,498 69

Loan under Act of May 24, 1824, for paying the awards under the  
Florida Treaty..... 5,000,000 —

And the actual receipts into the Treasury, during the fourth quarter of the year, including the moiety of the loan of 5,000,000, authorized by the Act of the 26th of May, 1824, for paying the 6 per cent. stock of 1812, are estimated at..... 7,350,00

Making the total estimated receipts into the Treasury,  
during the year 1824,..... 26,980,893 96

And, with the balance in the Treasury on the 1st of January, 1824, forming an aggregate of ..... 36,444,816 77

The expenditures during the three first quarters  
of the year 1824 are estimated to have amounted  
to (statement I.)..... 21,563,702 73

Viz : Civil, diplomatic,  
and miscellaneous..... 1,792,456 —

Military service, including fortifications, ordnance, Indian Department, revolutionary and military pensions, arming the militia, and arrearages prior to 1st January,

1817,..... 4,548,374 49

Naval Service, including the gradual  
increase of the navy..... 2,172,671 34

Awards under the Florida  
Treaty..... 4,775,671 99

Public debt. .... 8,274,528 91

And the expenditures during the 4th quarter, are estimated at  
Dollars 10,374,445 13

Viz: Civil, diplomatic, and

miscellaneous ..... 580,870 11

Military service, including fortifications, ordnance, Indian Department, revolutionary and military pensions, arming the militia, and arrearages prior to 1st January,

1817..... 765,346 35

Naval service, including the gradual increase of the navy..... 734,343 82

Public debt..... 8,293,884 85

Making the total estimated expenditure of the year 1824,..... 31,938,147 86

And, leaving in the Treasury, on the 1st of January, 1825, an estimated balance of.....Dollars 4,506,668 91

It is to be observed, however, that this balance is not to be considered as subject to appropriation, as there is about an equal amount of unsatisfied appropriations, which, though not called for in the year 1824, are necessary for the objects for which they were severally made, and which are, therefore, an existing charge upon the means of the Treasury.

## 2. *Of the Public Debt.*

The funded debt which was contracted before the year 1812, and which was unredeemed on the 1st of October, 1823, amounted (Statement No. 1.) to.....Dollars 16,597,318 58

And that which was contracted subsequently to the 1st of Jan. 1812, and was unredeemed on the 1st of Oct. 1823, amounted (No. 2.) to..... 73,854,545 45

Making the total amount of funded debt, unredeemed on the 1st of Oct. 1823,..... 90,451,864 03

In the fourth quarter of that year, there was added in Treasury Note 6 per cent. stock..... 716 75

Making an aggregate of..... 90,452,580 78

And there was paid, in the reimbursement of deferred 6 per cent. stock ..... 274,565 88

Reducing the funded debt on the 1st Jan. 1824, (Statement No. 2.) to..... 90,178,014 90

From that day to the 1st of Oct. last, there was added in 4  $\frac{1}{2}$  per cent. stock, under the Act of May 26, 1824. .... 5,000,000

Making an aggregate of..... Dollars95,178,014 90

During the same period there was paid—

The residue of the deferred 6 per cent.	
stock.....	357,546 26
And in purchasing the 7 per cent stock	4,123,397 10
	<hr/>
Making together.....	Dollars 4,480,943 36

And reducing the funded debt, on the 1st of October, 1824,	
(No. 3.) to.....	90,697,071 54

In the fourth quarter of the year, it is estimated there will be added,	
in 4½ per cent. stock, under the Act of May 26, 1824....	2,500,000 —

Making an aggregate of.....	Dollars 93,197,071 54
And during the same period it is estimated there will be paid for the redemption	
of the residue of the 7 per cent. stock	4,483,093 17
And of the exchanged 6 per cent. stock	2,668,974 99

Making together .....	7,152,068 16
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Which will reduce the funded debt unredeemed, on the 1st of Jan.	
1825, (including 7,000,000 Dollars 5 per cent. stock, subscription to	
the Bank of The United States, for which the stock of the Bank held	
by the Government is considered an equivalent,) to	86,045,003 38

The amount of Treasury Notes outstanding on the 1st of Oct.	
1824, is estimated (No. 4.) at.....	19,756 —

And the amount of Mississippi Stock unredeemed on that day, in-	
cluding awards not applied for, (No. 5.) at.....	Dollars 14,016 53

By the preceding exhibition of the fiscal operations of the year, it will be perceived, that if the expectations formed, respecting the fourth quarter should be realized, the receipts will have exceeded the estimate presented at the last Session of Congress by about 800,000 Dollars. The only failure has been in the proceeds of the public lands; and that has been the result of a disappointment in regard to the relinquished lands; great portions of which were supposed to offer strong inducements to purchasers, in their fertility and situation, and other circumstances. But not only has the quantity sold been less than was anticipated, but owing, it is believed, in a great measure, to combinations of capitalists, by which actual settlers were deterred from competition, the price has not, with few exceptions, exceeded the minimum price fixed by Law. It is to be observed, however, that the actual receipts from that source of revenue, during the present year, will exceed those of the preceding year; and it is estimated that those for the ensuing year will not be less.



The gross amount of duties on imports and tonnage which accrued from the 1st of January to the 30th September last, inclusive, is estimated at 19,000,000 Dollars, and that of the whole year, at 22,500,000 Dollars. Of this sum, that portion which accrued in the first half of the year, exceeds, by about 630,000 Dollars, and that in the three quarters by about 1,200,000, the portions which accrued in the corresponding quarters of the preceding year.

The debentures issued during the three first quarters of the present year, amounted to 2,952,000 Dollars; which is less, by 460,000 Dollars, than the amount issued during the corresponding period of the preceding year. And the amount of debentures outstanding on the 30th September last, and chargeable upon the revenues of 1825, was 1,004,000 Dollars; which is less, by 401,000 Dollars, than was on the same day in 1823 chargeable upon the revenue of 1824.

The amount of bonds in suit, on the 30th September last, was 2,909,000 Dollars; which is 92,000 Dollars more than was in suit on the same day in the preceding year. Deducting from the whole amount of duties outstanding on bonds and otherwise, on 30th September last, the debentures actually chargeable upon them, and the bonds in suit, it is estimated that the sum payable, after the expiration of the present year, will be about 12,200,000 Dollars. This amount, however, is subject to debentures which may still be issued; but as an allowance has already been made for those which are now chargeable upon it, no considerable deduction on that account is to be expected. A portion of the amount, also, is not payable until 1826; but the residue, together with so much of the duties accruing in the fourth quarter of the present, and in the whole of the next year, as may be received during that year, will, after deducting the expences of collection, constitute the receipts from the customs, during the year 1825.

The productiveness of the customs, however, depends upon the state of the Foreign Commerce of the Nation. It is estimated that, in the year ending on the 30th September last, the value of domestic articles exported was 49,684,710 Dollars; which exceeded, by 2,529,302 Dollars, the amount exported in the preceding year; and that the value of foreign articles exported was 25,248,782 Dollars; which was less by 2,294,840 Dollars, than the amount exported in the preceding year. The value of imports, during the same period, is estimated at 78,516,183 Dollars; which exceeds the imports of the preceding year, by 936,916 Dollars.

For three years past, the average annual value of imports has been 79,778,997 Dollars; that of foreign articles exported 25,026,201 Dollars, and that of domestic Articles exported, 48,904,732 Dollars. The little fluctuation that has taken place in these years, and the improvement in the last year, may be regarded as indications that the Commerce of the Country is tending to a regular and sound state. If no extraordinary events should occur to interrupt it, it is reasonable

to infer that there will be no material or unfavourable change in the ensuing year.

For the two years ending on the 31st December, 1823, the average annual gross amount of duties on imports was 23,227,835 Dollars. This sum, upon the annual average value of the whole importations, for the three years ending on the 30th September, 1824, was 29 Dollars, 12, per cent; and upon the average amount of importations, after deducting the exports of foreign articles, it was 42 Dollars, 42, per cent. For the same two years, the average annual nett amount of duties, including tonnage, &c. was 18,758,931 Dollars; and for the reasons already stated it may be presumed that, independent of any influence which the new tariff may have upon the revenue, the amount which will be received into the Treasury from customs, during the year 1825, will be about equal to that sum.

The operation of the new tariff upon the revenue, cannot now be correctly estimated. On one important branch of imports, those from beyond the Cape of Good Hope, its provisions will not take effect until the 1st of January next. As it is only since the 1st of July last that it has been in operation in regard to other importations, and as the collectors are allowed by law three months for rendering their accounts, the addition caused by the new tariff cannot, even for that portion of the imports, and for one quarter of the year, be stated with perfect accuracy.

It is believed, however, that the investigation which has been made with a view to that object, affords data for estimating its effects with sufficient exactness for the present purpose. It has been found that, upon the whole importations (estimating their value at the rates adopted in forming the statistical Report,) in the three quarters of the year ending 30th June, 1824, the gross amount of duties was 27 Dollars, 45, per cent.; and that, if the rates of the present tariff had been applied to the same importations, the duties would have amounted to 30 Dollars, 30, per cent.; which is equal to an increase on the amount of duties, of 10 Dollars, 39, per cent. (Statement K). It also appears, that in eight of the principal Ports of The United States, the rate of duties upon the whole amount of importations during the third quarter of the year 1823, was 28 Dollars, 36, and during the corresponding quarter of the year 1824, it was 30 Dollars, 98, per cent. (Statement L.) But it is to be observed, that in the third quarter of 1824, the importations from beyond the Cape of Good Hope were not subjected to the increased rates of the new tariff.—These, it is estimated, would have made the rate of duties, in that quarter, 31 Dollars, 40, per cent.; which is equal to an increase on the amount of duties of 7 Dollars, 57, per cent. The new tariff may, perhaps, have some effect upon the importation of those articles which pay high rates of duty, and for

which articles of a lower rate may be substituted. But, as the value of the imports depends more upon the ability of the importing Country to pay, than upon the amount of duty levied upon the articles imported, it is not probable that, under the present circumstances of the Commerce of The United States, there will be any diminution in the aggregate. Upon the whole, therefore, it is believed that the revenue derived from imports will be increased by the operation of the new tariff, in a ratio nearly equal to that in which it is estimated to have been increased during the third quarter of the present year, in the Ports above-mentioned; or, about  $7\frac{1}{2}$  per cent. This increase, however, will produce less augmentation in the actual receipts into the Treasury, during the year 1825, than in subsequent years.

With these views of the subject, the receipts into the Treasury during the year 1825, are estimated as follows:

Customs	-	-	-	Dollars	20,000,000
Lands	-	-	-	-	1,000,000
Bank dividends	-	-	-	-	350,000
Miscellaneous and incidental	-	-	-	-	150,000

Making together 21,500,000

And the residue of the loan authorized by the Act of the 26th May last, ..... 2,450,000

Forming an aggregate of -----23,950,000,—

The expenditures of the year are estimated as follows:

Civil, diplomatic, and miscellaneous 1,685,026, 76

Military service, including fortifications, ordnance, Indian Department, Revolutionary and Military pensions, arming the militia, and arrearages prior to the 1st January, 1817.....5,013,283 60

Naval service including the gradual increase of the Navy.....3,044,789 31

Public debt, including a payment of 7,654,570 93 Dollars of principal ..11,962,063 97

Making together -----21,705,163 64

Which will leave in the Treasury on the 1st of January 1826, after satisfying all the demands of the year 1825, a surplus estimated at

Dollars 2,244,836 36

On the 1st of January, 1826, a large amount of debt incurred by the late War, viz: 19,000,000 Dollars of the 6 per cent. stock of the year 1813, will be redeemable. As it is not probable that the surplus means of the year 1826, will more than equal the amount of the sinking fund for that year, only 7,000,000 Dollars of that stock can be discharged out of the ordinary revenues of the year.—On the 1st of January, 1827, the 6 per cents. of 1814, another portion of the wa

debt, amounting to 13,000,000 Dollars will become redeemable ; and in that year, also, it is probable that not more than 7,000,000 Dollars of the principal can be discharged. There will then remain in those two years 13,000,000, which cannot be paid out of the revenue of those years. In 1828 the amount of principal redeemable will probably not exceed the means of the Treasury. In the years 1829 and 1830, no part of the public debt is redeemable, and in 1831 less than 19,000 Dollars. Policy would seem to suggest, with a view both to the convenience of the Government and the advantage of the community, that the excess of debt which cannot be discharged in 1826 and 1827, should be thrown in equal portions, upon those years in which nothing is payable. For the present, however, it may be sufficient to confine such an arrangement to the excess of the year 1826. From the state of the money market, and the high credit of the Government, no doubt is entertained that the 12,000,000 Dollars required to provide for the excess of the debt on the 1st of January, 1826, may be borrowed at 5 per cent. reimbursable in 1829, and 1830. And, if such an arrangement is approved, it is respectfully proposed that authority be given by law for that purpose.

The same object might, perhaps, be accomplished, by an exchange of the stock, redeemable on the 1st of January, 1826, for a 5 per cent. stock, redeemable in 1829 and 1830. But it is believed that better terms may be obtained by a loan. A proposal for a loan invites competition from all the monied capitalists, including the Bank of The United States ; whereas an exchange of stock confines the demand for the new stock, to the holders of the old stock, who constitute not only a small portion of the capitalists, but a portion interested in preventing the accomplishment of the exchange. Moreover, the experience of the Government, during the last two years, justifies the preference for a loan. In 1822 a law was passed authorizing an exchange of 26,000,000 Dollars of the 7 per cents, and of the 6 per cents of the years 1812 '13, '14, and '15, for a 5 per cent stock redeemable in the years 1830, '31, '32, and '33 ; and only 56,704 Dollars 77 were exchanged ; and, under the Act of the last Session, authorizing an exchange of 15,000,000 Dollars of the 6 per cents of 1813, only 3,308,307 Dollars 45 were exchanged.

Should the suggestion, herein offered, be adopted for disposing of the excess of debt, redeemable in 1826 and 1827, the amount of public debt, redeemable in each year will be as follows :

In 1825,	Dollars 7,654,570 93	of 6 per cents.
1826, .....	7,002,356 62	6 per cents.
1827, .....	7,001,437 63	6 per cents.
1828, .....	9,490,099 10	6 per cents.
1829. ....	6,000,000 00,	proposed to be at 5 per cent.
1830, .....	6,000,000 00,	the same
1831, .....	6,018,901 59,	the same



In 1832, *Dollars* 6,018,900 72, of which 1,018,000 *Dollars* 72 are at 5 per cent. and 5,000,000 at  $4\frac{1}{2}$  per cent.

1833, ..... 6,673,055 31 all at  $4\frac{1}{2}$  per cent. except  
18,901 *Dollars* 59 at 5 per cent.

1834, ..... 1,654,153 73 at  $4\frac{1}{2}$  per cent.

1835, ..... 4,735,296 30 at 5 per cent.

This includes all the public debt of The United States, except 7,000,000 *Dollars* of 5 per cent. stock, subscribed to the capital of the Bank of The United States, and 13,296,231 *Dollars* 45 of 3 per cents; both of which are payable at the pleasure of the Government. As, under the foregoing view of the debt, all that will be redeemable after the year 1828, will be at an interest of 5 per cent. or less; and as the 5 per cent. stock, subscribed to the Bank, is reimbursable in such portions as the Government may please, any surplusses which may remain in 1829, and subsequent years, after discharging the debt redeemable, and proposed to be made redeemable, in those years, may be applied to the payment of that stock; or, if it be deemed advisable to reserve any such surplusses for other objects, there is no doubt that a sum, sufficient to pay off that stock, may be obtained at  $4\frac{1}{2}$  per cent. or even at a lower rate of interest, reimbursable in 1834, in which year, it will be perceived, only a small sum is redeemable.

According to this exhibition of the subject, reckoning the principal and interest of the public debt, until its extinction, at about 111,000,000 *Dollars*, independent of the stock subscribed to the Bank, which may always be considered as offset by the Government shares in the Bank, it will be perceived, that, by allowing 10,000,000 annually, with an additional million in the first year, the whole of the public debt of The United States will be extinguished by the end of the year 1835.

In speaking of the public debt, it may be proper to notice the reduction that has been effected, during the last eight years, both in the amount of principal and rate of interest. On the 1st of January, 1817, the whole debt of The United States was 123,491,965 *Dollars* 16; of which 115,257,805 *Dollars* 48 were funded, bearing an average interest of 5 *Dollars* 56 $\frac{1}{2}$  per cent. per annum. On the 1st January next, the whole debt will be 86,045,003 *Dollars* 18, bearing an average interest of 5 *Dollars* 23 $\frac{1}{4}$ ; which shows a reduction of 37,446,961 *Dollars* 98 of principal, and of 0.36 $\frac{1}{4}$  in the average rate of interest.

It is, also, deemed proper to state, that the loan of 5,000,000 *Dollars* for the payment of the awards under the Florida Treaty, and the loan of 5,000,000 *Dollars* for paying the 6 per cent. stocks of 1812, both of which were authorized at the last Session of Congress, at  $4\frac{1}{2}$  per cent. have been taken by the Bank of The United States, at par. The means of discharging the awards under the Florida Treaty, were required so soon after the authority was given to make the loan, as not to leave

time sufficient for receiving proposals from a distance; and the offer of the Bank for the whole loan, at par, was accepted. For the subsequent loan, various proposals were received, amounting in the whole, independently of that of the Bank, to 2,554,586 Dollars 37, at rates varying between par and  $4\frac{1}{2}$  per cent. premium, and forming an average premium of  $0.97\frac{1}{2}$  per cent. on the whole amount offered, as appears by statement M. herewith transmitted. The proposal of the Bank was for the whole sum, at par. Although the individual offers, are, apparently, more favourable than that of the Bank, yet, taking into consideration that the Government is the proprietor of one fifth of the Capital of the Bank, and that a portion of the means of the Bank, equal to the amount of the loan, would otherwise have been unemployed, the offer of the Bank at par, was decidedly the most advantageous to the Government; being, as is explained in statement N. equal to an individual offer of  $4\frac{1}{2}$  per cent. premium.

That, during the progress of the redemption of the public debt, a considerable amount may be applied, by a judicious management of the public revenue, to other than the ordinary objects of expenditure, is apparent; as well from a retrospect of what has been done, in the last eight years, as by a comparison between the probable receipts and expenditures in subsequent years.

For the eight years, commencing on the 1st of January, 1817, the total means of the Treasury, including a balance on hand, on that day of 22,033,519 Dollars 19, and the sum of 16,336,747 Dollars 34 since derived from loans, may be estimated at .....210,275,899 11

And the total expenditure, at .....205,769,230 20

Of this amount, nearly one half will have been applied to the payment

of the principal and interest of the public debt, viz. 101,365,900 67

To the payment of claims under the Florida Treaty... 4,891,368 56

To the pensioners of the Revolution ..... 9,400,000 00

To the erection of Fortifications ..... 4,200,000 00

To the increase of the Navy..... 6,000,000 00

And to the payment of demands arising out of the late

War, not less than..... 4,500,000 00

Leaving, for all other objects of expenditure, including the civil list,

intercourse with Foreign Nations, army and navy, pensions, arming

the militia, building of light-houses, extinction of Indian titles, and

surveying of public lands, &c. &c. &c..... 75,400,000 00

Which sum, divided among the eight years, is about, \_\_\_\_\_

per annum.....Dollars 9,425,000 00

It will be perceived, that, excluding the loans, the annual average receipts, in those years, may be estimated at 21,700,000 Dollars; and, upon the data already shown, the annual revenue, in subsequent years, may also be estimated at 21,500,000 Dollars. Should no important

change be made in the existing national establishments, the ordinary annual expenditures, exclusive of what may be required for the erection of Fortifications, and the increase of the Navy, may be estimated at about 18,500,000 Dollars. Thus, after providing for the annual demands for the payment of the principal and interest of the public debt, and for all the ordinary expenses of the Government, there will remain, for the next eleven years, an annual surplus of about 3,000,000 Dollars; which, after the extinction of the debt in the year 1835, will receive an annual addition of the 10,000,000 Dollars now appropriated to the public debt: which surplusses may be applied to such objects, conducive to the common defence and general welfare of the Nation, as may be within the constitutional powers of Congress, and as they, in their wisdom, may deem proper.

All which is respectfully submitted.

WM. H. CRAWFORD.

*Treasury Department, December 31, 1824.*

A.

*A Statement, exhibiting the amount of Duties which accrued on Merchandise, Tonnage, Passports, and Clearances; of Debentures issued on the Exportation of Foreign Merchandise; of Payments for Drawback on Domestic Refined Sugars, and Domestic Distilled Spirits, exported; of Bounties and Allowances on Salted Fish, and to Vessels employed in the Fisheries; of Expences of Collection, and of Payments made into the Treasury, during the year ending on the 31st day of Dec. 1823.*

	Dollars.
Duties on Merchandise .....	22,376,752 25
Do. Tonnage and light money.....	88,896 10
Duties on Passports and Clearances .....	12,576 00
Debentures issued .....	4,552,665 70
Drawback on domestic refined sugar and domestic spirits	5,799 28
Bounties and allowances.....	187,644 58
Gross Revenue.....	17,732,114 79
Expences of collection .....	723,543 99
Nett revenue .....	17,008,570 80
Payments made into the Treasury.....	19,088,433 44

**B.—A Statement exhibiting the value and quantities, respectively, of Merchandise on which Duties actually accrued during the year 1823, (consisting of the difference between articles paying duty imported, and those entitled to drawback re-exported;) and, also, of the nett revenue which accrued that year, from duties on merchandise, tonnage, passports, and clearances.**

**MERCHANDISE PAYING DUTIES AD VALOREM.**

931,271 Dollars at $7\frac{1}{2}$ per cent. ....	69,845 32
13,933,703 do. .. 15 do. ....	2,090,055 45
6,120,269 do. .. 20 do. ....	1,224,053 80
15,467,941 do. .. 25 do. ....	3,866,985 25
1,645,610 do. .. 30 do. ....	493,683 00
<u>38,098,794 do. 20.3 average .....</u>	<u>Dollars 7,744,622 82</u>

**SPECIFIC DUTIES.**

1. Wines.....1,730,105 gal. av. 22.8 .....	394,416 25
2. Spirits ....3,702,152 do. 44.7 .....	1,655,326 43
Molasses ...13,284,451 do. 5.0 .....	664,222 55
3. Teas .....6,796,364 lbs. 30.9 .....	2,105,956 63
Coffee ....18,603,330 do. 5.0 .....	930,166 50
4. Sugar ....43,309,475 do. 3.02 .....	1,311,004 79
5. Salt.....4,449,740 bushels 20.0 .....	889,948 00
6. All other articles.....	1,813,750 90

Dollars 9,764,792 05

Total 17,509,414 87

From which deduct, duties refunded, after deducting therefrom duties on merchandise, the particulars of which could not be ascertained, and difference of calculation..... 57,011 09

17,452,403 78

Add $2\frac{1}{2}$ per cent. retained on drawback.....	126,359 15
Extra duty on merchandise imported in foreign vessels.....	25,915 42
Discriminating duty on French vessels.....	7,183 58
Interest on bonds.....	20,865 18
Storage received.....	3,714 86

Duties on merchandise..... 17,636,441 97

Duties on tonnage .....	71,857 94
Light money.....	17,038 16
Passports and clearances .....	12,576 00

Dollars 17,737,914 07



Deduct drawback on domestic refined sugar exported .....	2,281 68
Do. do. domestic distilled spirits do.....	3,517 60
Gross Revenue.....Dollars	17,732,114 79
Expenses of collection.....	723,543 99
Nett revenue, per Statement A....Dollars	17,008,570 80

**C.—A Statement, exhibiting the amount of American and Foreign Tonnage employed in the Foreign Trade of The United States, during the year ending on the 31st day of December, 1823.**

American Tonnage in Foreign Trade .....	Tons 1,490,332
Foreign,..... do.....do. ....	118,691

Total Tonnage employed in the Foreign Trade of The United States .....	1,609,023
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Proportion of Foreign Tonnage to the whole amount of Tonnage employed in the Foreign Trade of The United States 7. 3 to 100.

**D.—A Statement of Moneys received, on Account of Public Lands, during the year 1823.**

Total amount of Moneys received in 1823 ....	Dollars 998,559 35
Incidental expenses, including salaries and Commissions, .....	Dollars 71,812 87
Repayments made to individuals, .....	2,153 20
	73,966 07

Nett proceeds of Public Lands, in 1823. Dollars ..... 924,593 28

*Treasury Department, General Land Office, 20th December, 1824.*

GEORGE GRAHAM.

**E.—Statement of Moneys received into the Treasury, from all sources other than Customs and Public Lands, during the year 1823—**

From arrears of old Internal Revenues .....	73 96
Direct Tax of 1798.....	108 00
New Internal Revenue.....	34,168 21
New Direct Tax.....	10,229 71
Dividends on Stock in the Bank of The United States ..	350,000 00
From fees on Letters Patent.....	4,740 00

From Postage of Letters .....	110 69
Cents, coined in the Mint of the U. S.....	12,750 00
Fines, Penalties, and Forfeitures .....	10 00
Returned passage money of American Sea-	
men. ....	30 00
Received under the Act to abolish The United	
States' trading establishments	37,546 95
Surplus emoluments of officers of the Customs	22,492 84
Moneys previously advanced on account of	
Fourth Census .....	3,178 84
Do      Military Pensions.....	1,828 84
Do      Prisoners of war.....	4,683 65
Balances of advances made to War Depart-	
ment, repaid under the 3d section of Act of	
1st May, 1820.....	53,758 03
	<hr/>
Dollars	535,709 72

*Treasury Department, Register's Office, December 16th, 1824.*

JOSEPH NOURSE Register.

*Statement of the Expenditures of The United States for the year 1823.*

CIVIL, MISCELLANEOUS, AND DIPLOMATIC, viz:

Legislature.....	Dollars 339,057 22
Executive Department.....	473,668 91
Officers of the Mint.....	9,600 00
Surveying Department.....	15,216 66
Commissioner of the Public Buildings.....	1,500 00
Governments in the Territories of The United States....	29,518 75
Judiciary .....	190,350 11

Dollars 1,058,911 65

Annuities and Grants.....	2,328 14
Mint Establishment.....	14,139 12
Unclaimed Merchandise.....	334 59
Light House Establishment.....	207,610 23
Surveys of Public Lands.....	135,996 98
Boundary line between Missouri and Arkansas.....	2,000 00
Land claims in Florida Territory.....	8,292 95
Adjustment of Land claims in Michigan Territory .....	500 00
Road from Cumberland to Ohio.....	5,289 48
Repairing Road from Cumberland to Ohio.....	8,000 00
Roads within the State of Indiana.....	17,857 84

## UNITED STATES.

589

Roads and canals within the State of Missouri.....	4,729 14
Marine Hospital Establishment.....	44,761 13
Public Buildings in Washington.....	116,200 00
Apartment in the City Hall for the Circuit Court of The United States .....	10,000 00
Monument over the tomb of Elbridge Gerry.....	1,000 00
Payment of claims for Property lost.....	100 00
Payment of balances due to Officers of Old Internal Revenue, &c.....	2,027 67
Payment of balances due to Collectors of New Internal Revenue .....	203 72
Prohibition of the Slave Trade.....	2,682 08
Encouragement of learning within the State of Illinois...	5,955 82
Payment of certain Certificates .....	331 34
Purchase of the Sixth Volume of the Laws of The Uni- ted States.....	2,200 00
Rebuilding of the Public wharf, and repairing public Store Houses, Staten Island .....	13,499 00
Additional Commercial Digest.....	1,000 00
Miscellaneous expenses.....	64,024 55

Dollars 671,063 78

Diplomatic Department.....	101,328 56
Contingent expenses of Foreign Intercourse.....	30,584 37
Missions to the Independent Nations on American continent.....	69,520 00
Relief and protection of American Seamen.....	25,984 28
Treaty with Spain.....	20,272 93
Prize Causes .....	12,000 00
Treaty of Ghent, 4th, 6th, and 7th, Articles.....	13,394 00
Do. 1st Article.....	10,014 20
Treaties with Mediterranean Powers.....	9,020 22

292,118 56

Total Dollars 2,022,093 99

## MILITARY DEPARTMENT, viz :

Pay of the Army.....	Dollars 952,944 51
Subsistence.....	271,712 56
Forage.....	35,624 71
Clothing.....	126,833 41
Medical and Hospital department.....	18,175 19
Contingent expenses.....	16,337 11

Ordnance.....	Dollars	32,872 06
Quarter Master's Department.....		262,707 83
Repairs and contingencies of Fortifications.....		28,123 31
Fort Monroe.....		102,142 89
Fort Calhoun.....		78,343 59
Fort Washington.....		32,971 93
Fort Delaware.....		46,500 00
Fort at Mobile Point.....		81,997 18
Fort on the right bank of the Mississippi.....		15,675 79
Fort opposite Fort St. Philip.....		23,697 20
Military Academy, West Point.....		11,187 62
Brigade of Militia.....		794 56
Medals for Officers.....		2,700 00
Arrearages.....		44,854 83
Balances due to certain States.....		6,841 50
Preservation of Arms.....		42 24
Repairing Arms.....		418 95
Preservation of Ammunition.....		1,796 58
Army Supplies.....		4,495 33
Repairs of Arsenals.....		175 23
Arming and equipping the Militia.....		207,956 24
Gratuities.....		3,050 77
Armories.....		344,541 77
National armory on the western Waters.....		3,500 00
Expenses of Recruiting.....		9,086 99
Militia courts martial, New-York.....		2,487 74
Do. Pennsylvania.....		152 80
Barracks at Baton Rouge.....		29,178 77
Purchase of woollens for 1823.....		75,000 00
Road from Plattsburg to Sackett's Harbour.....		2,150 00
Ransom of American Captives.....		2,536 90
The Rigolets.....		94,527 82
Arsenals.....		30,861 08
Maps, plans, &c. War Office.....		10 00
Revolutionary Pensions.....		1,449,097 04
Invalid and half pay Pensions.....		331,491 48
Contingencies of Indian Department.....		74,884 28
Civilization of Indians.....		13,765 67
Pay of Indian Agents.....		23,560 60
Pay of sub-agents.....		11,475 29
Presents to Indians.....		11,578 27
Treaty with the Creeks.....		23,053 37
Do Choctaws.....		502 58
Saganaw Treaty.....		2,000 00
Treaty of Chicago.....		1,050 00



## UNITED STATES.

591

Purchase of Creek and Cherokee reservations.....	Dollars	34,500	00
Annuities to Indians.....		183,074	88
Reservation of Indian Lands.....		9,000	00
Purchase of Lands in Tuscarawas County, Ohio.....		1,000	00
Bounties and Premiums.....		3,094	04
Fortifications.....		4,281	00
Repairs of Fort Jackson.....		3,856	30
Cannon, Powder, Shot and Shells.....		369	63
Expenses at Arsenals.....		4	19
Relief of sundry Individuals.....		39,255	81
Do Officers, &c. of Seminole campaign.....		41,056	47

*Dollars.* 5,266,957 89

*From which deduct the following repayment ;*

Expenses of holding Treaties with Indians, per Act of 20th April, 1818.....		8,663	12
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*Dollars.* 5,258,294 77

## NAVAL DEPARTMENT, viz :

Pay of the Navy.....		904,654	43
Provisions.....		217,260	20
Repairs of Vessels.....		399,174	85
Navy Yards, &c.....		82,324	73
Medicines.....		26,161	98
Contingent.....		158,108	51
Ordnance and Ordnance Stores.....		7,666	61
Superintendents, &c.....		40,201	75
Labourers and fuel for Engine.....		21,851	00
Gradual increase.....		307,729	34
Suppression of Piracy.....		104,476	93
Prohibition of the Slave Trade.....		8,498	75
Inclined plane, docks, &c.....		24,700	06
Ship Houses.....		4,914	11
Survey of the Coast of Florida.....		1,337	50
Do. North Carolina.....		402	00
Pay and subsistence of the Marine Corps.....		154,353	30
Clothing..... do.....		27,878	15
Fuel..... do.....		4,134	32
Military Stores..... do.....		7,937	80
Contingencies..... do.....		16,852	62

*Dollars.* 2,520,618 94

*From which deduct the following Repayments.*

Purchase of timber.....	100,00
Purchase of Vessels from 8 to 16 Guns.....	1,532 03

Captors of Algerine Vessels .....	14,970 25	
Officers and Crew of the Hornet .....	250 83	
		<hr/> 16,853 11

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2,503,765 83

## PUBLIC DEBT.

Interest and Reimbursement of domestic Debt .....	5,524,034 37
Certain parts of domestic Debt.....	504 97
Reimbursement of Mississippi Stock.....	5,477 07

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5,530,016 41

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Total Dollars 15,314,171 00

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*Treasury Department, Register's Office, Dec. 16, 1824.*

JOSEPH NOURSE, *Register.*

*No. 1.—STATEMENT of the Debt of The United States,  
1st October, 1823.*

Deferred six per cent. stock, unredeemed amount....	632,112 14
Three per cent. stock .....	13,296,231 45
Exchanged six per cent. stock.....	2,668,974 99
	<hr/> 16,597,318 58

Six per cent. stock of 1812 .....	6,187,006 84
Do. of 1813 (sixteen millions) .....	15,497,818 63
Do. .... 7½ do .....	6,812,845 44
Do. of 1814.....	13,001,437 63
Do. of 1815 .....	9,490,099 10
Treasury note six per cent. stock .....	1,466,847 34
Do. .... seven per cent.....	8,606,490 27
Five per cent. stock, subscription to Bank of United States.....	7,000,000 00
Do. of 1820 .....	999,999 13
Do. of 1821 .....	4,735,296 30
Exchanged five per cent. of 1822.....	56,704 77

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73,854,545 45

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Total Dollars. .90,451,864 03

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*Treasury Department, Register's Office, Dec. 23, 1824.*

JOSEPH NOURSE, *Register.*

**No. 2.—STATEMENT of the Debt of The United States,  
1st January, 1824.**

Deferred six per cent. stock, unredeemed amount.....	357,546	26
Three per cent. stock .....	13,296,231	45
Exchanged six per cent. stock.....	2,668,974	99
	<hr/>	
	16,322,752	70
Six per cent. stock of 1812 .....	6,187,006	84
Do. of 1813 (sixteen millions).....	15,497,818	63
Do. of do.        7 $\frac{1}{2}$ do. ....	6,812,845	44
Do. of 1814 .....	13,001,437	63
Do. of 1815 .....	9,490,099	10
Treasury note six per cent. stock.....	1,467,564	09
Do.        seven do.....	8,606,490	27
Five per cent. stock (subscription to Bank of United States) .....	7,000,000	00
Do. of 1820 .....	999,999	13
Do. of 1821 .....	4,735,296	30
Exchanged 5 per cent. of 1822.....	56,704	77
	<hr/>	
	73,855,262	20
	<hr/>	
Total Dollars	90,178,014	90

*Treasury Department, Register's Office, Dec. 23, 1824.*

JOSEPH NOURSE, Register.

**No. 3.—STATEMENT of the Debt of The United States,  
1st October, 1824.**

Three per cent. stock .....	Dollars	13,296,231	45
Exchanged 6 per cent. Stock .....		2,668,974	99
		<hr/>	
		15,965,206	44
Six per cent. stock of 1812 .....		6,187,006	84
Do.        of 1813, (sixteen millions).....	*15,497,818	63	
Do.        of 1813, (seven and a half millions)....	*6,812,845	44	
Do.        of 1814.....	13,001,437	63	
Do.        of 1815 .....	9,490,099	10	
Treasury note six per cent. stock .....	1,467,564	09	
Do.        seven per cent. do. ....	4,483,093	17	
Five per cent. stock, (subscription to the Bank of The United States) .....	7,000,000	00	
Do.        of 1820 .....	999,999	13	
Do.        of 1821 .....	4,735,296	30	

\* There has been issued, since the 1st October last, under the Act of 26th May, 1824, certificates of four and a half per cent. stock, in exchange for an equal amount of the six per cent. stocks of 1813, subscribed prior to that day, the sum of Dollars - - - - - 3,308,307 . 45

Exchanged five per cent. stock of 1822.....	56,704 77
Four and a half per cent. stock, per Act of the 24th May, 1824 .....	5,000,000 00
	<hr/> 74,731,865 10
Total.....Dollars.....	<hr/> 90,697,071 54 <hr/>

*Treasury Department, Register's Office, Dec. 23, 1824.*

JOSEPH NOURSE, Register.

NOTE.—The amount of the debt on the 1st October, 1823, per Estimate (No. 3,) which accompanied the Secretary's Report on the 31st December, 1823, was stated at ..... Dollars 90,451,834 24  
The reimbursement of the deferred stock, to that day inclusive, was over estimated ..... 29 79

*Amount of the Debt on the 1st October, 1823, per Statement No. 1, herewith* .....90,451,864 03  
Add Treasury note six per cent. stock issued in the  
4th quarter, 1823 ..... 716 75  

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90,452,580 78

Deduct reimbursement of deferred stock, on the 31st  
December, 1823 ..... 274,565 88

*Amount of the debt on the 1st January, 1824, per Statement (No. 2) herewith* ..... 90,178,014 90  
Add four and a half per cent. stock (issued under the  
Act of the 24th May, 1824) ..... 5,000,000 00  

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95,178,014 90

Deduct reimbursement of deferred stock, during the  
three first quarters of 1824 ..... 357,546 26  
And the seven per cent. stock, purchased under the Act  
of 22d January, 1824 ..... 4,123,397 10  

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4,480,943 36

*Amount of the debt on the 1st October, 1824,*  
as above stated ..... 90,697,071 54  
Add estimated amount of four and a half per cent.  
stock, proposed to be issued during the fourth  
quarter of the present year, under the Act of 26th  
May, 1824 ..... 2,500 000 00  

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93,197,071 54

Deduct payments to be made during the same period, viz.  
For the redemption of the exchanged  
six per cent. stock ..... 2,668,974 99



Residue of the seven per cent. stock	4,483,093 17
	<u>7,152,068 16</u>

Which will reduce the *debt on the 1st Jany.* 1825, to *Dol.* 86,045,003 38

**No. 4.—Estimated Amount of Treasury Notes outstanding on the 1st October, 1824.**

Total amount issued, as per No. 4, of last report	36,680,794
Cancelled and reported on by the 1st Auditor	36,661,038

Outstanding	19,756
Consisting of small Treasury notes	2,576
Notes bearing interest	17,180

Dollars 19,756

Treasury Department, Register's Office, Dec. 23, 1824.

JOSEPH NOURSE, Register.

**No. 5.—STATEMENT of the Stock issued under the Act of Congress, entitled "An Act supplementary to the Act for the indemnification of certain Claimants of Public Lands in the Mississippi Territory," passed the 3d March, 1815.**

Amount of claims awarded, per Statement No. 5, of last report	4,282,151 12½
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Whereof, there was paid in for lands, per said report	2,447,535 39
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Payments at the Treasury to the 30th

September, 1823	1,813,356 86
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Do. from 1st October, 1823, to the 1st

December, 1824	7,242 34
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1,820,599 20

Balance, 1st December, 1824, consisting of

certificates outstanding	13, 971 93
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Awards not applied for	44 60½
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14,016 53½

Dollars 4,282,151 12½

Treasury Department, Register's Office, Dec. 23, 1824.

JOSEPH NOURSE, Register.

**CONVENTION between The United States and Russia, relative to the Pacific Ocean, and the North Western Coast of America.—Signed at St. Petersburg,  $\frac{5}{17}$  April, 1824.**

WHEREAS a Convention between The United States of America and His Majesty the Emperor of all the Russias, was concluded and

signed at St. Petersburg, on the  $\frac{6}{17}$  day of April, in the year of our Lord 1824; which Convention, being in the French language, is, word for word, as follows, a Translation of the same being hereto annexed:

[ORIGINAL.]

[TRANSLATION.]

*Au nom de la très Sainte et Indivisible Trinité.*

*In the name of the most holy and indivisible Trinity:*

Le Président des Etats Unis d'Amérique, et Sa Majesté l'Empereur de toutes les Russies, voulant cimenter les liens d'amitié qui les unissent, et assurer entre eux le maintien invariable d'un parfait accord, moyennant la présente Convention, ont nommé pour leurs Plénipotentiaires à cet effet, savoir: Le Président des Etats Unis d'Amérique, le Sieur Henry Middleton, Citoyen des dits Etats, et leur Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Impériale: et Sa Majesté l'Empereur de toutes les Russies, ses aimés et féaux les Sieurs Charles Robert Comte de Nesselrode, Conseiller Privé Actuel, Membre du Conseil d'Etat, Secrétaire d'Etat Dirigeant le Ministère des Affaires Etrangères, Chambellan Actuel, Chevalier de l'Ordre de St. Alexandre Nevsky, Grand Croix de l'Ordre de St. Wladimir de la Ire Classe, Chevalier de celui de l'Aigle Blanc de Pologne, Grand Croix de l'Ordre de St. Etienne d'Hongrie, Chevalier des Ordres du St. Esprit et de St. Michel, et Grand Croix de celui de la Légion d'Honneur de France, Chevalier Grand Croix des Ordres de l'Aigle Noir et de l'Aigle Rouge de Prusse, de l'Annonciade de Sardaigne, de Charles III. d'Espagne, de St. Ferdinand et du Mérite de Naples, de l'Eléphant de Dannemarc, de

The President of The United States of America, and His Majesty the Emperor of all the Russias, wishing to cement the bonds of amity which unite them, and to secure between them the invariable maintenance of a perfect concord, by means of the present Convention, have named, as their Plenipotentiaries, to this effect, to wit: The President of The United States of America, Henry Middleton, a Citizen of said States, and their Envoy Extraordinary and Minister Plenipotentiary near His Imperial Majesty: and His Majesty the Emperor of all the Russias, his beloved and faithful Charles Robert Count of Nesselrode, Actual Privy Counsellor, Member of the Council of State, Secretary of State directing the Administration of Foreign Affairs, Actual Chamberlain, Knight of the Order of St. Alexander Newsky, Grand Cross of the Order of St. Wladimir of the First Class, Knight of that of the White Eagle of Poland, Grand Cross of the Order of St. Stephen of Hungary, Knight of the Orders of the Holy Ghost and of St. Michael, and Grand Cross of the Legion of Honour of France, Knight Grand Cross of the Orders of the Black and of the Red Eagle of Prussia, of the Annunciation of Sardinia, of Charles III. of Spain, of St. Ferdinand and of Merit of Naples,

l'Etoile Polaire de Suède, de la Couronne de Wurtemberg, des Guelphes de Hannovre, du Lion Belge, de la Fidélité de Bade, et de St. Constantin de Parme : et Pierre de Poletica, Conseiller d'Etat Actuel, Chevalier de l'Ordre de S<sup>te</sup> Anne de la 1<sup>re</sup> Classe, et Grand Croix de l'Ordre de St. Wladimir de la Seconde : lesquels après avoir échangé leurs Pleins Pouvoirs, trouvés en bonne et due forme, ont arrêté et signé les Stipulations suivantes :

I. Il est convenu que dans aucune partie du Grand Océan, appelé communément Océan Pacifique ou Mer du Sud, les Citoyens ou Sujets respectifs des Hautes Puissances Contractantes ne seront ni troublés, ni gênés, soit dans la navigation, soit dans l'exploitation de la pêche, soit dans la faculté d'aborder aux Côtes sur des points qui ne seroient pas déjà occupés, afin d'y faire le commerce avec les indigènes; sauf toutefois les restrictions et conditions déterminées par les Articles qui suivent :

II. Dans la vue d'empêcher que les droits de navigation et de pêche exercés sur le Grand Océan par les Citoyens et Sujets des Hautes Puissances Contractantes ne deviennent le prétexte d'un commerce illicite, il est convenu, que les Citoyens des Etats Unis n'aborderont à aucun point où il se trouve un Etablissement Russe, sans la permission du Gouverneur ou Commandant; et que réciproquement les Sujets Russes ne

of the Elephant of Denmark, of the Polar Star of Sweden, of the Crown of Wirtemberg, of the Guelphs of Hanover, of the Belgic Lion, of Fidelity of Baden, and of St. Constantine of Parma: and Pierre de Politica, Actual Counsellor of State, Knight of the Order of St. Anne of the First Class, and Grand Cross of the Order of St. Wladimir of the Second: who, after having exchanged their Full Powers, found in good and due form, have agreed upon, and signed, the following Stipulations:

I. It is agreed, that in any part of the Great Ocean, commonly called the Pacific Ocean, or South Sea, the respective Citizens or Subjects of the High Contracting Powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of resorting to the Coasts, upon points which may not already have been occupied, for the purpose of trading with the Natives; saving always the restrictions and conditions determined by the following Articles:

II. With the view of preventing the rights of navigation and of fishing, exercised upon the Great Ocean by the Citizens and Subjects of the High Contracting Powers, from becoming the pretext for an illicit trade, it is agreed that the Citizens of The United States shall not resort to any point where there is a Russian Establishment, without the permission of the Governor or Commander; and that, reciprocally, the Sub-

pourront aborder sans permission à aucun Etablissement des Etats Unis sur la Côte Nord Ouest.

III. Il est convenu en outre, que dorénavant il ne pourra être formé par les Citoyens des Etats-Unis, ou sous l'autorité des dits Etats, aucun Etablissement sur la Côte Nord Ouest d'Amérique, ni dans aucune des Iles adjacentes *au Nord* du cinquante quatrième degré et quarante minutes de latitude septentrionale; et que de même il n'en pourra être formé aucun par des Sujets Russes, ou sous l'autorité de la Russie, *au Sud* de la même parallèle.

IV. Il est néanmoins entendu que pendant un terme de dix années, à compter de la signature de la présente Convention, les vaisseaux des deux Puissances, ou qui appartiendroient à leurs Citoyens ou Sujets respectifs, pourront réciproquement fréquenter, sans entrave quelconque, les mers intérieures, les golfes, havres et criques sur la Côte mentionnée dans l'Article précédent, afin d'y faire la pêche et le commerce avec les Naturels du Pays.

V. Sont toutefois exceptées de ce même commerce accordé par l'Article précédent, toutes les liqueurs spiritueuses, les armes à feu, armes blanches, poudre et munitions de guerre de toute espèce, que les deux Puissances s'engagent réciproquement à ne pas vendre, ni laisser vendre aux Indigènes par leurs Citoyens et Sujets respectifs, ni par aucun individu qui se trouveroit sous leur

jects of Russia shall not resort, without permission, to any Establishment of The United States upon the Northwest Coast.

III. It is moreover agreed, that, hereafter, there shall not be formed, by the Citizens of The United States, or under the authority of the said States, any Establishment upon the Northwest Coast of America, nor in any of the Islands adjacent, *to the North* of fifty-four degrees and forty minutes of North latitude; and that, in the same manner, there shall be none formed by Russian Subjects, or under the authority of Russia, *South* of the same parallel.

IV. It is, nevertheless, understood, that, during a term of ten years, counting from the Signature of the present Convention, the Ships of both Powers, or which belong to their Citizens or Subjects, respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbours, and creeks, upon the Coast mentioned in the preceding Article, for the purpose of fishing and trading with the Natives of the Country.

V. All spirituous liquors, fire-arms, other arms, powder, and munitions of war of every kind, are always excepted from this same commerce permitted by the preceding Article; and the two Powers engage reciprocally, neither to sell, or suffer them to be sold to the Natives by their respective Citizens and Subjects, nor by any Person who may be under their Authority. It is likewise



autorité. Il est également stipulé que cette restriction ne pourra jamais servir de prétexte, ni être alléguée dans aucun cas, pour autoriser soit la visite ou la detention des Vaisseaux, soit la saisie de la marchandise, soit, en fin, des mesures quelconques de contrainte envers les armateurs ou les équipages qui feroient ce commerce; les Hautes Puissances Contractantes s'étant réciproquement réservé de statuer sur les peines à encourir, et d'infliger les amendes encourues en cas de contravention à cet Article, par leurs Citoyens ou Sujets respectifs.

VI. Lorsque cette Convention aura été duement ratifiée par le President des Etats Unis, de l'avis et du consentement du Sénat, d'une part, et de l'autre par Sa Majesté l'Empereur de toutes les Russies, les Ratifications en seront échangées à Washington dans le délai de dix mois de la date ci-dessous, ou plutôt si faire se peut. En foi de quoi les Plenipotentiaires respectifs l'ont signée, et y ont fait apposer les Cachets de leurs Armes.

Fait à St. Petersbourg le 4<sup>e</sup> Avril, de l'an de Grace, 1824.

HENRY MIDDLETON.

LE COMTE CHARLES DE NESSELRODE.

PIERRE DE POLETICA.

stipulated that this restriction shall never afford a pretext, nor be advanced, in any case, to authorize either search or detention of the Vessels, seizure of the merchandise, or, in fine, any measures of constraint whatever towards the Merchants or the Crews who may carry on this commerce; the High Contracting Powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishments in case of the contravention of this Article, by their respective Citizens or Subjects.

VI. When this Convention shall have been duly ratified by the President of The United States, with the advice and consent of the Senate on the one part, and on the other by His Majesty the Emperor of all the Russias, the Ratifications shall be exchanged at Washington in the space of ten months from the date below, or sooner, if possible. In faith whereof the respective Plenipotentiaries have signed this Convention, and thereto affixed the Seals of their Arms.

Done at St. Petersburg, the 4<sup>th</sup> April of the year of Grace, 1824.

HENRY MIDDLETON.

LE COMTE CHARLES DE NESSELRODE.

PIERRE DE POLETICA.

And whereas the said Convention has been duly ratified on both parts, and the respective Ratifications of the same were exchanged at Washington, on the 11th day of the present month, by John Quincy Adams, Secretary of State of The United States, and the Baron de Tuvill, Envoy Extraordinary and Minister Plenipotentiary of His Imperial Majesty, on the part of their respective Governments:

Now, therefore, be it known, that I, James Monroe, President of

The United States, have caused the said Convention to be made public, to the end that the same, and every Clause and Article thereof, may be observed and fulfilled with good faith by The United States and the Citizens thereof.

In witness whereof, I have hereunto set my Hand, and caused the Seal of The United States to be affixed. Done at the City of Washington, this 12th day of January, in the year of our Lord, 1825, and of the Independence of The United States the 49th.

By the President :

JAMES MONROE.

JOHN QUINCY ADAMS, *Secretary of State.*

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***TREATY between The United States and the Sock and Fox Tribes of Indians.—Signed at Washington, 4th August, 1824.***

WHEREAS a Treaty between The United States of America and the Sock and Fox Tribes of Indians was made and concluded, on the 4th day of August, 1824, at the City of Washington, by the Commissioner on the part of The United States, and certain Chiefs and Warriors of the said Tribes, on the part, and in behalf, of the said Tribes; which Treaty is in the words following, to wit :

To perpetuate peace and friendship between The United States and the Sock and Fox Tribes or Nations of Indians, and to remove all future cause of dissensions which may arise from undefined Territorial Boundaries, the President of The United States of America, by William Clark, Superintendent of Indian Affairs, and sole Commissioner specially appointed for that purpose, of the one part, and the undersigned Chiefs and Head Men of the Sock and Fox Tribes or Nations, fully deputed to act for and in behalf of their said Nations, of the other part, have entered into the following Articles and Conditions, viz:

I. The Sock and Fox Tribes or Nations of Indians, by their Deputations in Council assembled, do hereby agree, in consideration of certain sums of money, &c. to be paid to the said Sock and Fox Tribes, by the Government of The United States, as hereinafter stipulated, to cede and for ever quit claim, and do, in behalf of their said Tribes or Nations, hereby cede, relinquish, and for ever quit claim, unto The United States, all right, title, interest, and claim, to the lands which the said Sock and Fox Tribes have, or claim, within the limits of the state of Missouri, which are situated, lying, and being, between the Mississippi and Missouri rivers, and a line running from the Missouri, at the entrance of Kansas river, north 100 miles to the north-west corner of the State of Missouri, and from thence east to the Mississippi. It being understood, that the small tract of land lying between the rivers Desmoin and the Mississippi, and the Section of the above line between the Mississippi and the Desmoin, is intended for the use of the half-breeds

belonging to the Sock and Fox Nations; they holding it, however, by the same title, and in the same manner, that the other Indian titles are held.

II. The Chiefs and Head Men who sign this Convention, for themselves and in behalf of their Tribes, do acknowledge the lands east and south of the lines described in the First Article, so far as the Indians claimed the same, to belong to The United States, and that none of their Tribes shall be permitted to settle or hunt upon any part of it, after the 1st day of January, 1826, without special permission from the Superintendent of Indian Affairs.

III. It is hereby stipulated and agreed, on the part of The United States, as a full consideration for the claims and lands ceded by the Sock and Fox Tribes in the First Article, there shall be paid to the Sock and Fox Nations, within the present year, 1,000 dollars in cash, or merchandize; and, in addition to the annuities stipulated to be paid to the Sock and Fox Tribes by a former Treaty, The United States, do agree to pay to the said Sock Tribe 500 dollars, and to the Fox Tribe 500 dollars, annually, for the term of 10 succeeding years: and, at the request of the Chiefs of the said Sock and Fox Nations, the Commissioner agrees to pay to Maurice Blondeau, a half Indian of the Fox Tribe, the sum of 500 dollars, it being a debt due by the said Nation to the aforesaid Blondeau, for property taken from him during the late war.

IV. The United States engage to provide and support a blacksmith for the Sock and Fox Nations, so long as the President of The United States may think proper, and to furnish the said Nations with such Farming Utensils and Cattle, and to employ such Persons to aid them in their Agriculture, as the President may deem expedient.

V. The Annuities stipulated to be paid by the 3d Article, are to be paid either in money, merchandize, provisions, or domestic animals, at the option of the aforesaid Tribes, and when the said Annuities or part thereof is paid in merchandize, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation.

VI. This Treaty shall take effect and be obligatory on the Contracting Parties so soon as the same shall be ratified by the President of The United States, by and with the advice and consent of the Senate thereof.

In testimony whereof, the said William Clark, Commissioner as aforesaid, and the Chiefs and Head Men of the Sock and Fox Tribes of Indians as aforesaid, have hereunto set their hands, at Washington City, this 4th day of August, in the year of our Lord, 1824.

(Signed) WM. CLARK.

and marked by 10 Indian Chiefs.

Now, therefore, be it known, that I, James Monroe, President of The United States of America, having seen and considered the said

Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the 13th instant, accept, ratify, and confirm the same, and every Clause and Article thereof.

In testimony whereof, I have caused the Seal of The United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this 18th day of January, 1825. and of the Independence of The United States, the 49th.

JAMES MONROE.

By the President :

JOHN QUINCY ADAMS, *Secretary of State.*

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***TREATY between The United States and the Ioway Tribe of Indians.—Signed at Washington, 4th August, 1824.***

WHEREAS a Treaty between The United States of America and the Ioway Tribe of Indians, was made and concluded, on the 4th day of August, 1824, at the City of Washington, by the Commissioner on the part of The United States, and certain Chiefs and Warriors of the said Tribe, on the part and in behalf of the said Tribe, which Treaty is in the words following, to wit:

Articles of a Treaty made and concluded in the City of Washington, on the 4th day of August, 1824, between William Clark, Superintendent of Indian Affairs, being specially authorized by the President of The United States thereto, and the undersigned Chiefs and Head Men of the Ioway Tribe or Nation, duly authorized and empowered by the said Nation.

I. The Ioway Tribe or Nation of Indians, by their Deputies, Mah-hos-kah, (or White Cloud) and Mah-ne-hah-nah, (or Great Walker) in Council assembled, do hereby agree, in consideration of a certain sum of money, &c. to be paid to the said Ioway Tribe, by the Government of The United States, as hereinafter stipulated, to cede and for ever quit claim, and do, in behalf of their said Tribe, hereby cede, relinquish, and for ever quit claim, unto The United States, all right, title, interest, and claim, to the lands which the said Ioway Tribe have, or claim, within the State of Missouri, and situated between the Mississippi and Missouri rivers and a line running from the Missouri, at the mouth or entrance of Kansas river, north 100 miles, to the north west corner of the limits of the State of Missouri, and, from thence, east to the Mississippi.

II. It is hereby stipulated and agreed, on the part of The United States, as a full compensation for the claims and lands ceded by the Ioway Tribe in the preceding Article, there shall be paid to the said Ioway Tribe, within the present year, in cash or merchandize, the amount of 500 dollars; and The United States do further agree to pay to the Ioway Tribe, 500 dollars, annually, for the term of 10 succeeding years.



III. The Chiefs and Head Men who sign this Treaty, for themselves, and in behalf of their Tribe, do acknowledge that the lands east and south of the lines described in the First Article, (which has been run and marked by Colonel Sullivan), so far as the Indians claimed the same, to belong to The United States, and that none of their Tribe shall be permitted to settle or hunt upon any part of it, after the 1st day of January, 1826, without special permission from the Superintendent of Indian Affairs.

IV. The undersigned Chiefs, for themselves, and all parts of the Ioway Tribe, do acknowledge themselves and the said Ioway Tribe to be under the protection of The United States of America, and of no other Sovereign whatsoever; and they also stipulate, that the said Ioway Tribe will not hold any Treaty with any Foreign Powers, individual State, or with individuals of any State.

V. The United States engage to provide and support a blacksmith for the Ioway Tribe, so long as the President of The United States may think proper, and to furnish the said Tribe with such Farming Utensils and Cattle, and to employ such Persons to aid them in their Agriculture, as the President may deem expedient.

VI. The annuities stipulated to be paid by the 2d Article, to be paid either in money, merchandize, provisions, or domestic animals, at the option of the aforesaid Tribe; and when the said annuities, or any part thereof, is paid in merchandise, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation.

VII. This Treaty shall take effect and be obligatory on the Contracting Parties, so soon as the same shall be ratified by the President of The United States, by and with the advice and consent of the Senate thereof.

In testimony whereof, the said William Clark, Commissioner as aforesaid, and the Chiefs and Head Men of the Ioway Tribe of Indians, as aforesaid, have hereunto set their hands the day and year first before written.

(Signed) WM. CLARK,  
and marked by 2 Indian Chiefs.

Now, therefore, be it known, that I, James Monroe, President of The United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the 13th instant, accept, ratify, and confirm the same, and every Clause and Article thereof.

In testimony whereof, I have caused the seal of The United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this 18th day of January, 1825, and of the Independence of The United States the 49th.

By the President:

JAMES MONROE.

JOHN QUINCY ADAMS, *Secretary of State.*

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***TREATY between The United States and the Choctaw Indians. Signed at Washington, 20th January, 1825.***

WHEREAS a Treaty between The United States of America and the Choctaw Nation of Indians, was made and concluded, on the 20th day of January, 1825, at the City of Washington by Commissioners on the part of The United States, and certain Chiefs and Warriors of said Tribe, which Treaty is in the words following, to wit :

*Articles of a Convention made between John C. Calhoun, Secretary of War, being specially authorized therefor by the President of The United States; and the Undersigned Chiefs and Head Men of the Choctaw Nation of Indians, duly authorized and empowered by said Nation, at the City of Washington, on the 20th day of January, in the year of our Lord 1825.*

Whereas a Treaty of Friendship and limits and accommodation having been entered into at Doake's Stand, on the 18th of October, in the year 1820, between Andrew Jackson and Thomas Hinds, Commissioners on the part of The United States, and the Chiefs and Warriors of the Choctaw Nation of Indians; and whereas the 2d Article of the Treaty aforesaid provides for a cession of lands, west of the Mississippi, to the Choctaw Nation, in part satisfaction for lands ceded by said Nation to The United States, according to the 1st Article of said Treaty : and whereas, it being ascertained that the cession aforesaid embraces a large number of Settlers, Citizens of The United States; and it being the desire of the President of The United States to obviate all difficulties resulting therefrom, and, also, to adjust other matters in which both The United States and the Choctaw Nation are interested : the following Articles have been agreed upon, and concluded, between John C. Calhoun, Secretary of War, specially authorized therefor by the President of The United States, on the one part, and the undersigned Delegates of the Choctaw Nation on the other part :

I. The Choctaw Nation do hereby cede to The United States all that portion of the land ceded to them by the 2d Article of the Treaty of Doak Stand, as aforesaid, lying east of a line beginning on the Arkansas, 100 paces east of Fort Smith, and running thence, due south, to Red River: it being understood that this line shall constitute and remain, the permanent boundary between The United States and the Choctaws; and The United States agreeing to remove such Citizens as may be settled on the west side, to the east side of said line, and prevent future Settlements from being made on the west thereof.

II. In consideration of the cession aforesaid, The United States do hereby agree to pay the said Choctaw Nation the sum of 6,000

Dollars, annually, for ever; it being agreed that the said sum of 6,000 Dollars shall be annually applied, for the term of 20 years, under the direction of The President of The United States, to the support of Schools in said Nation, and extending to it the benefits of instruction in the mechanic and ordinary arts of life: when, at the expiration of 20 years, it is agreed that the said annuity may be vested in Stocks, or otherwise disposed of, or continued, at the option of the Choctaw Nation.

III. The 8th Article of the Treaty aforesaid having provided that an appropriation of lands shall be made for the purpose of raising 6,000 Dollars a year, for 16 years, for the use of the Choctaw Nation; and it being desirable to avoid the delay and expense attending the survey and sale of said land; The United States do hereby agree to pay to the Choctaw Nation, in lieu thereof, the sum of 6,000 Dollars, annually, for 16 years, to commence with the present year. And The United States further stipulate and agree to take immediate measures to survey and bring into market, and sell, the 54 sections of land set apart by the 7th Article of the Treaty aforesaid, and apply the proceeds in the manner provided by the said Article.

IV. It is provided by the 9th Section of the Treaty aforesaid, that all those of the Choctaw Nation who have separate settlements, and fall within the limits of the land ceded by said Nation to The United States, and desire to remain where they now reside, shall be secured in a tract or parcel of land, one mile square, to include their improvements. It is, therefore, hereby, agreed, that all who have reservations in conformity to said stipulation, shall have power, with the consent of the President of The United States, to sell and convey the same in fee simple. It is further agreed, on the part of The United States, that those Choctaws, not exceeding 4 in number, who applied for reservations and received the recommendation of the Commissioners, as per annexed copy of said recommendation, shall have the privilege, and the right is hereby given to them, to select, each of them, a portion of land, not exceeding a mile square, any where within the limits of the cession of 1820, when the land is not occupied or disposed of by The United States, and the right to sell and convey the same, with the consent of The President, in fee simple, is hereby granted.

V. There being a debt due by individuals of the Choctaw Nation to the late United States' trading house on the Tombigby, The United States hereby agree to relinquish the same; the Delegation, on the part of their Nation, agreeing to relinquish their claim upon The United States, to send a factor with goods to supply the wants of the Choctaws west of the Mississippi, as provided for by the 6th Article of the Treaty aforesaid.

VI. The Choctaw Nation having a claim upon The United States,

for services rendered in the Pensacola Campaign ; and for which it is stipulated, in the 11th Article of the Treaty aforesaid, that payment shall be made, but which has been delayed for want of the proper vouchers, which it has been found, as yet, impossible to obtain ; The United States, to obviate the inconvenience of further delay, and to render justice to the Choctaw Warriors for their services, in that Campaign, do hereby agree upon an equitable settlement of the same, and fix the sum at 14,972 Dollars 50 ; which, from the muster-rolls, and other evidence in possession of the Third Auditor, appears to be about the probable amount due, for the services aforesaid, and which sum shall be immediately paid to the Delegation, to be distributed by them to the Chiefs and Warriors of their Nation, who served in the Campaign aforesaid, as may appear to them to be just.

VII. It is further agreed, that the 4th Article of the Treaty aforesaid, shall be so modified, as that the Congress of The United States shall not exercise the power of apportioning the lands, for the benefit of each family, or individual, of the Choctaw Nation, and of bringing them under the Laws of The United States, but with the consent of the Choctaw Nation.

VIII. It appearing that the Choctaws have various claims against Citizens of The United States, for spoiliations of various kinds, but which they have not been able to support by the testimony of white men, as they were led to believe was necessary, The United States, in order to a final settlement of all such claims, do hereby agree to pay to the Choctaw Delegation, the sum of 2,000 Dollars, to be distributed by them in such way, among the claimants, as they may deem equitable. It being understood that this provision is not to affect such claims as may be properly authenticated, according to the Provision of the Act of 1802.

IX. It is further agreed that, immediately upon the Ratification of this Treaty, or as soon thereafter as may be, an Agent shall be appointed for the Choctaws, West of the Mississippi, and a blacksmith be settled among them, in conformity with the stipulation contained in the 6th Article of the Treaty of 1820.

X. The Chief, Puck-she-nubbee, one of the Members of the Delegation, having died on his journey to see the President, and Robert Cole being recommended by the Delegation, as his Successor, it is hereby agreed that the said Robert Cole shall receive the medal which appertains to the Office of Chief, and also, an annuity from The United States of 150 Dollars a year, during his natural life, as was received by his predecessor.

XI. The friendship heretofore existing between The United States and the Choctaw Nation, is hereby renewed and perpetuated.

XII. These Articles shall take effect and become obligatory on the Contracting Parties, so soon as the same shall be ratified by the



President, by and with the advice and consent of the Senate of The United States.

In testimony whereof, the said John C. Calhoun, and the said Delegates of the Choctaw Nation, have hereunto set their hands, at the City of Washington, the 20th day of January, 1825.

(Signed) J. C. CALHOUN.  
and by 8 Delegates of Indians.

Now therefore, be it known, that I, James Monroe, President of The United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the 16th instant, accept, ratify, and confirm the same, and every Clause and Article thereof.

In testimony whereof, I have caused the Seal of The United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this 19th day of February, in the year of our Lord, 1825; and of the Independence of The United States the 49th.

By the President : JAMES MONROE.  
JOHN QUINCY ADAMS, *Secretary of State.*

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***TREATY between The United States and the Quapaw Indians.—Signed at Harrington's, Nov. 15, 1824.***

WHEREAS a Treaty between The United States of America and the Quapaw Nation of Indians, was made, and concluded, on the 15th day of November, 1824, at Harrington's in the Territory of Arkansas, by Commissioners on the part of The United States, and certain Chiefs and Warriors of said Tribe; which Treaty is in the words following, to wit:

***Articles of a Treaty between The United States of America and the Quapaw Nation of Indians.***

I. The Quapaw Nation of Indians cede to The United States of America, in consideration of the promises and stipulations hereinafter made, all claim or title which they may have to lands in the Territory of Arkansas, comprised in the following boundaries, to wit: beginning at a point on the Arkansas river, opposite to the Post of Arkansas, and running thence a due Southwest course, to the Ouachita river; and thence, up the same, to the Saline Fork; and up the Saline Fork, to a point from whence a due Northeast course will strike the Arkansas River at Little Rock: and thence, down the right (or South bank) of the Arkansas river, to the place of beginning.

II. In consideration of the cession made in the first Article of this Treaty, by the aforesaid Chiefs and Warriors, The United States engage to pay to the four Head Chiefs of the Quapaw Nation, the

sum of 500 Dollars each, in consideration of the losses they will sustain by removing from their farms and improvements. The payment to be made at the time they receive their annuity for the year 1825. And, also, to the said Nation, the sum of 4,000 Dollars, to be paid in goods, at the signing of this Treaty. And The United States also engage to pay to the Quapaw Nation, 1,000 Dollars in specie, annually, for the term of 11 years, in addition to their present annuity.

III. The United States hereby guaranty to the said Nation of Indians, the same right to hunt on the lands by them hereby ceded, as was guaranteed to them by a Treaty, concluded at St. Louis, on the 24th of August, 1818, between the said Quapaw Nation of Indians and William Clark and Auguste Choteau, Commissioners on the part of The United States.

IV. The Quapaw Tribe of Indians will hereafter be concentrated and confined to the District of Country inhabited by the Gaddo Indians, and form a part of said Tribe. The said Nation of Indians are to commence removing to the District allotted them, before the 20th day of January, 1826.

V. For the purpose of facilitating the removal of the said Tribe to the District of Country allotted them, and as a compensation for the losses sustained, and the inconveniences to which they may be exposed by said removal, The United States will furnish them with Corn, Meat, and Salt, for 6 months, from the 1st day of January, 1826. The United States further agree to furnish a sum not exceeding 1,000 Dollars, to be expended by their Agent, to facilitate the transportation of the said Tribe to the District of Country herein assigned them. An Agent, sub Agent, or Interpreter, shall be appointed to accompany said Tribe, and reside among them.

VI. From the cession aforesaid, there shall be reserved to James Scull, in consideration of a Debt of 7,500 Dollars, due to him from the Quapaw Nation, and recognized in open Council, 2 Sections of Land, commencing on the Arkansas River, opposite to Mrs. Embree's, and running up and back from said River for quantity. And The United States guaranty to the Quapaw Nation the payment of the said Debt of 7,500 Dollars, either by the ratification of the Grant made in this Article, or by the payment of the said amount in money, exclusive of the amount stipulated to be paid to the said Nation by this Treaty.

VII. There shall be granted by The United States to the following Persons, being Indians by descent, the following tracts of Land: To Francois Imbrau, one quarter section of Land, commencing at a point on the Arkansas River, opposite the upper end of Wright Daniel's Farm; and thence, up and back from said River, for quantity. To Joseph Duchassin, one quarter Section of Land, commencing at the lower corner of the quarter section granted to Francois Imbrau, and running down and back from said River for quantity. To Saracen, a

half breed Quapaw, 80 acres of Land, to be laid off so as to include his improvement, where he now resides, opposite Vaugine's. To Baliste Socie, 80 acres of land, lying above and adjoining Saracen's grant. To Joseph Bonne, 80 acres of land, lying above, and adjoining Socie's grant. To Baptiste Bonne, 80 acres of land, lying above, and adjoining Joseph Bonne's grant. To Lewis Bartelmi, 80 acres of land, lying above, and adjoining Baptiste Bonne's grant. To Antoine Duchassin, 80 acres of land, lying above, and adjoining Bartelmi's grant. To Baptiste Imbrau, 80 acres of land, lying above, and adjoining A. Duchassin's grant. To Francois Coupot, 80 acres of land, lying above and adjoining Baptiste Imbrau's grant. To Joseph Valliere, 80 acres of land, lying above, and adjoining Francois Coupot's grant. All the said tracts of land shall be laid off, so as to conform to the lines of The United States' surveys, and binding on the Arkansas River.

VIII. This Treaty shall take effect, and be obligatory on the Contracting Parties, so soon as the same shall be ratified by the Senate of The United States.

In testimony whereof, the Commissioner on the part of The United States, Robert Crittenden, and the undersigned Chiefs and Warriors of the said Nation, have hereunto subscribed their names and affixed their Seals.

Done at Harrington's, in the Territory of Arkansas, on the 15th day of November, A.D. 1824, and of the Independence of The United States the 49th.

(Signed) ROBERT CRITTENDEN,  
Commissioner on the part of The United States.

And by 15 Chiefs of Indians.

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Now, therefore, be it known, that I, James Monroe, President of The United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the 16th instant, accept, ratify, and confirm the same, and every Clause and Article thereof.

In testimony whereof, I have caused the Seal of The United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this 19th day of February, in the year of our Lord 1825, and of the Independence of The United States the 49th.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS, *Secretary of State.*

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***TREATY between The United States and the Creek Indians.—Signed at the Indian Springs, 12th February 1825.***

WHEREAS a Treaty between The United States of America and the Creek Nation of Indians, was made and concluded on the 12th day of February, in the Year of our Lord 1825, at the Indian Springs, by Commissioners on the part of The United States, and the Chiefs of said Nation, on the part and in behalf of said Nation, which Treaty is in the words following, to wit:

Articles of a Convention, entered into and concluded at the Indian Springs, between Duncan G. Campbell, and James Meriwether, Commissioners on the part of The United States of America, duly authorized, and the Chiefs of the Creek Nation, in Council assembled.

Whereas the said Commissioners, on the part of The United States, have represented to the said Creek Nation that it is the policy and earnest wish of the General Government, that the several Indian Tribes within the limits of any of the States of the Union should remove to territory to be designated on the west side of the Mississippi river, as well for the better protection and security of said Tribes, and their improvement in civilization, as for the purpose of enabling The United States, in this instance, to comply with the Compact entered into with the State of Georgia, on the 24th day of April, in the Year 1802: And the said Commissioners having laid the late Message of the President of The United States, upon this subject, before a General Council of said Creek Nation, to the end that their removal might be effected upon terms advantageous to both Parties:

And whereas the Chiefs of the Creek Towns have assented to the reasonableness of said proposition, and expressed a willingness to emigrate beyond the Mississippi, *those of Tokaubatchee excepted*:

These presents therefore witness, that the Contracting Parties have this day entered into the following Convention:

I. The Creek Nation cede to The United States all the lands lying within the boundaries of the State of Georgia, as defined by the Compact hereinbefore cited, now occupied by said Nation, or to which said Nation have title or claim; and also, all other lands which they now occupy, or to which they have title or claim, lying north and west of a line to be run from the first principal Falls upon the Chatahoochie river, above Cowetau Town, to Ocfuskee Old Town, upon the Tallapoosa, thence to the Falls of the Coosaw river, at or near a place called the Hickory Ground.

II. It is further agreed between the Contracting Parties, that The United States will give, in exchange for the lands hereby acquired, the like quantity, acre for acre, westward of the Mississippi, on the Arkansas river, commencing at the mouth of the Canadian Fork thereof, and running westward between said rivers Arkansas and Cana-



dian Fork, for quantity. But whereas said Creek Nation have considerable improvements within the limits of the Territory hereby ceded, and will moreover have to incur expenses in their removal; it is further stipulated, that, for the purpose of rendering a fair equivalent for the losses and inconveniences which said Nation will sustain by removal, and to enable them to obtain supplies in their new Settlement, The United States agree to pay to the Nation emigrating from the lands herein ceded, the sum of 400,000 dollars, of which amount there shall be paid to said Party of the 2d part, as soon as practicable after the ratification of this Treaty, the sum of 200,000 dollars. And as soon as the said Party of the 2d part shall notify the Government of The United States of their readiness to commence their removal, there shall be paid the further sum of 100,000 dollars. And the 1st year after said emigrating Party shall have settled in their new Country, they shall receive of the amount first above named the further sum of 25,000 dollars. And the 2d year, the sum of 25,000 dollars. And annually thereafter, the sum of 5,000 dollars, until the whole is paid.

III. And whereas the Creek Nation are now entitled to Annuities of 30,000 dollars each, in consideration of cessions of Territory heretofore made; it is further stipulated that said last mentioned Annuities are to be hereafter divided in a just proportion between the Party emigrating and those that may remain.

IV. It is further stipulated that a Deputation from the said Parties of the 2d part, may be sent out to explore the Territory herein offered them in exchange; and if the same be not acceptable to them, then they may select any other Territory west of the Mississippi, on Red, Canadian, Arkansas, or Missouri Rivers—the Territory occupied by the Cherokees and Choctaws excepted; and if the Territory so to be selected shall be in the occupancy of other Indian Tribes, then The United States will extinguish the title of such occupants for the benefit of said Emigrants.

V. It is further stipulated, at the particular request of the said Parties of the 2d part, that the payment and disbursement of the first Sum herein provided for, shall be made by the present Commissioners negotiating this Treaty.

VI. It is further stipulated, that the payments appointed to be made the 1st and 2d years after settlement in the West, shall be either in money, merchandise, or provisions, at the option of the Emigrating Party.

VII. The United States agree to provide and support a blacksmith and wheelwright for the said Party of the 2d part, and give them instruction in Agriculture, as long and in such manner as the President may think proper.

VIII. Whereas the said Emigrating Party cannot prepare for immediate removal; The United States stipulate for their protection

against the encroachments, hostilities, and impositions of the Whites, and of all others; but the period of removal shall not extend beyond the 1st day of September, in the year 1826.

IX. This Treaty shall be obligatory on the Contracting Parties, so soon as the same shall be ratified by the President of The United States, by and with the consent of the Senate thereof.

In testimony whereof the Commissioners aforesaid, and the Chiefs and Head Men of the Creek Nation, have hereunto set their Hands and Seals, this 12th day of February, in the year of our Lord 1825.

(Signed by) DUNCAN G. CAMPBELL,

JAMES MERIWETHER,

*Commissioners on the part of The United States.*

WILLIAM M'INTOSH,

*Head Chief of Cowetaus.*

And by 51 Chiefs of Indians.

Whereas by a Stipulation in the Treaty of the Indian Springs in 1821, there was a reserve of Land made, to include the said Indian Springs for the use of General William M'Intosh; be it therefore known to all whom it may concern, that we, the undersigned Chiefs and Head Men of the Creek Nation, do hereby agree to relinquish all the right, title, and control of the Creek Nation to the said reserve, unto him the said William M'Intosh, and his heirs for ever, in as full and ample a manner as we are authorized to do.

(Signed by 6 Chiefs of Indians.)

JOHN CROWELL,

*Agent for Indian Affairs.*

Whereas the foregoing Articles of Convention have been concluded between the Parties thereto: And whereas the Indian Chief, General William M'Intosh, claims title to the Indian Spring Reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said M'Intosh, signed in full Council of the Nation: And whereas the said General William M'Intosh hath claim to another Reservation of Land on the Ocmulgee river, and by his lessee and tenant is in possession thereof:

Now, these presents further witness, that the said General William M'Intosh, and also the Chiefs of the Creek Nation in Council assembled, do quit claim, convey, and cede to The United States, the Reservations aforesaid, for and in consideration of the sum of 25,000 dollars, to be paid at the time and in the manner as stipulated for the first instalment provided for in the preceding Treaty. Upon the ratification of these Articles, the possession of said Reservations shall be considered as passing to The United States, and the accruing rents of the present year shall pass also.

In testimony whereof the said Commissioners on the part of The United States, and the said William M'Intosh and the Chiefs of the Creek Nation, have hereunto set their Hands and Seals, at the Indian Springs, this 14th day of February, in the year of our Lord 1825.

(Signed by) DUNCAN C. CAMPBELL,  
JAMES MERIWETHER.

*U. S. Commissioners.*

And by 9 Chiefs of Indians.

Now, therefore, be it known that I, JOHN QUINCY ADAMS, President of The United States of America, having seen and considered the said Treaty, together with the separate Article, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the 3d instant, accept, ratify, and confirm the same, and every Clause and Article thereof.

In testimony whereof, I have caused the Seal of The United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this 7th day of March, in the year of our Lord 1825, and of the Independence of The United States the 49th.

JOHN QUINCY ADAMS.

By the President:

H. CLAY, *Secretary of State.*

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**CONVENTION between The United States and Tunis.**  
*Signed at Bardo, February 24, 1824.*

WHEREAS certain alterations in the Treaty of Peace and Friendship, of August, 1797, between The United States and the Bashaw Bey of Tunis, were agreed upon and concluded, between his Highness Sidi Mahmoud, the Bey, and S. D. Heap, Chargé d'Affaires of The United States at Tunis, on the 24th day of February, 1824, by the Articles in the words following, to which are annexed the altered Articles, as they were in the Treaty before the alterations:

Whereas sundry Articles of the Treaty of Peace and Friendship, concluded between The United States of America and Hamuda Bashaw, of happy memory, in the month of Rebia Elul, in the year of the Hegira, 1212, corresponding with the month of August, of the Christian year 1797, have, by experience, been found to require alteration and amendment; in order, therefore, that The United States should be placed on the same footing with the most favoured Nations, having Treaties with Tunis, as well as to manifest a respect for the American Government, and a desire to continue, unimpaired, the friendly relations which have always existed between the two Nations,

it is hereby agreed and concluded, between his Highness Sidi Mahmoud Bashaw, Bey of Tunis, and S. D. Heap, Esq. Chargé d'Affaires of The United States of America, that alteration be made in the 6th, 11th, 12th, and 14th, Articles of said Treaty, and that the said Articles shall be altered and amended in the Treaty to read as follows :

**ART. VI.—*As it now is.***

If a Tunisian Corsair shall meet with an American Vessel, and shall visit it with her boat, two men only shall be allowed to go on board, peaceably, to satisfy themselves of its being American, who, as well as any passengers of other Nations they may have on board, shall go free, both them and their goods ; and the said two men shall not exact any thing, on pain of being severely punished. In case a Slave escapes, and takes refuge on board an American Vessel of war, he shall be free, and no demand shall be made either for his restoration or for payment.

**ART. XI.—*As it now is.***

When a Vessel of war of The United States shall enter the Port of the Gouletta, she shall be saluted with twenty-one guns, which salute the Vessel of war shall return, gun for gun only, and no powder will be given, as mentioned in the ancient Eleventh Article of this Treaty, which is hereby annulled.

**ART. VI.—*As it was.***

If a Tunisian Corsair shall meet with an American Merchant Vessel, and shall visit it with her boat, she shall not exact any thing, under pain of being severely punished. And, in like manner, if a Vessel of war of The United States shall meet with a Tunisian Merchant Vessel she shall observe the same rule. In case a Slave shall take refuge on board of an American Vessel of war, the Consul shall be required to cause him to be restored ; and if any of their prisoners shall escape on board of the Tunisian Vessels, they shall be restored ; but if any Slave shall take refuge in any American Merchant Vessel, and it shall be proved that the Vessel has departed with the said Slave, then he shall be returned, or his ransom shall be paid.

**ART. XI.—*As it was.***

When a Vessel of war of The United States of America shall enter the Port of Tunis, and the Consul shall request that the Castle may salute her, the number of Guns shall be fired which he may request ; and if the said Consul does not want a salute, there shall be no question about it.

But, in case he shall desire the salute, and the number of Guns shall be fired which he may have requested, they shall be counted, and returned by the



Vessel in as many barrels of cannon powder.

The same shall be done with respect to the Tunisian Corsairs, when they shall enter any Port of The United States.

**ART. XII.—*As it now is.***

When Citizens of The United States shall come within the Dependencies of Tunis, to carry on Commerce there, the same respect shall be paid to them which the Merchants of other Nations enjoy; and if they wish to establish themselves within our Ports, no opposition shall be made thereto, and they shall be free to avail themselves of such interpreters as they may judge necessary, without any obstruction, in conformity with the usages of other Nations; and if a Tunisian subject shall go to establish himself within the Dependencies of The United States, he shall be treated in like manner. If any Tunisian subject shall freight an American Vessel, and load her with Merchandise, and shall afterwards want to unload, or ship them on board of another Vessel, we shall not permit him until the matter is determined by a reference of Merchants, who shall decide upon the case, and after the decision, the determination shall be conformed to.

No Captain shall be detained in Port against his consent, except when our Ports are shut for the Vessels of all other Nations, which may take place with respect to Merchant Vessels, but not to those of war.

The Subjects and Citizens of the two Nations, respectively,

**ART. XII.—*As it was.***

When Citizens of The United States shall come within the Dependencies of Tunis, to carry on Commerce there, the same respect shall be paid to them which the Merchants of other Nations enjoy; and if they wish to establish themselves within our Ports, no opposition shall be made thereto; and they shall be free to avail themselves of such interpreters as they may judge necessary, without any obstruction, in conformity with the usages of other Nations; and if a Tunisian subject shall go to establish himself within the Dependencies of The United States, he shall be treated in like manner. If any Tunisian subject shall freight an American Vessel, and load her with Merchandise, and shall afterwards want to unload or ship them on board of another Vessel, we will not permit him, until the matter is determined by a reference of Merchants, who shall decide upon the case, and after the decision, the determination shall be conformed to.

No Captain shall be detained in Port against his consent, except when our Ports are shut for the Vessels of all other Nations; which may take place with respect to Merchant Vessels, but not to those of war.

The Subjects of the two Contracting Powers shall be under the

Tunisians and Americans, shall be protected in the places where they may be, by the Officers of the Government there existing; but, on failure of such protection, and for redress of every injury, the party may resort to the chief authority in each Country, by whom adequate protection and complete justice shall be rendered. In case the Government of Tunis shall have need of an American Vessel for its service, such Vessel being within the Regency, and not previously engaged, the Government shall have the preference, on its paying the same freight as other Merchants usually pay for the same service, or at the like rate, if the service be without a customary precedent.

**ART. XIV.—*As it now is.***

All Vessels belonging to the Citizens and inhabitants of The United States shall be permitted to enter the Ports of the kingdom of Tunis, and freely trade with the Subjects and inhabitants thereof, on paying the usual duties which are paid by other most favoured Nations at peace with the Regency. In like manner, all Vessels belonging to the Subjects and inhabitants of the kingdom of Tunis shall be permitted to enter the different Ports of The United States, and freely trade with the Citizens and inhabitants thereof, on paying the usual duties which are paid by other most favored Nations at Peace with The United States.

protection of the Prince, and under the jurisdiction of the Chief of the place where they may be, and no other person shall have authority over them. If the Commandant of the place does not conduct himself agreeably to justice, a representation of it shall be made to us.

In case the Government shall have need of an American Merchant Vessel, it shall cause it to be freighted, and then a suitable freight shall be paid to the Captain, agreeably to the intention of the Government and the Captain shall not refuse it.

**ART. XIV.—*As it was.***

A Tunisian Merchant, who may go to America with a Vessel of any Nation soever, loaded with Merchandise, which is the production of the Kingdom of Tunis, shall pay duty (small as it is) like the Merchants of other Nations; and the American Merchants shall equally pay for the Merchandise of their Country, which they may bring to Tunis, under their Flag, the same duty as the Tunisians pay in America. But if an American Merchant, or a Merchant of any other Nation, shall bring American Merchandise, under any other Flag, he shall pay six per cent. duty: in like manner, if a foreign Merchant shall bring the Merchandise of his Country, under the American Flag, he shall also pay six per cent.

Concluded, signed and sealed, at the Palace of Bardo, near Tunis, the 24th day of the Moon jumed-teni, in the year of the Hegira, 1239, corresponding with the 24th of February, 1824, of the Christian year, and the 48th year of the Independence of The United States, reserving the same, nevertheless, for the final Ratification of the President of The United States, by and with the advice and consent of the Senate.

S. D. HEAP.

SIDI MAHMOUD.

And whereas the Senate of The United States did, on the 13th of January instant, two thirds of the Senators present concurring therein, advise and consent to the ratification of the Convention containing the said alterations; and whereas, in pursuance of the said advice and consent, I have ratified, on the part of The United States, the said Articles:

Now, therefore, I do hereby proclaim the same, and have caused the said Articles to be made public; to the end that they, and every Clause thereof, as they now are, may be observed and fulfilled with good faith by The United States and their Citizens. In witness whereof I have hereunto set my hand, and caused the Seal of The United States to be affixed.

Done at the City of Washington, this 21st day of January, in the year of our Lord 1825, and of the Independence of The United States the 49th.

By the President,

JAMES MONROE.

JOHN QUINCY ADAMS, *Secretary of State.*

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**INAUGURAL ADDRESS of John Quincy Adams to Congress, on being sworn into Office as President of The United States, at Washington, on the 4th of March, 1825.**

In compliance with an usage coeval with the existence of our Federal Constitution, and sanctioned by the example of my Predecessors in the career upon which I am about to enter, I appear, my Fellow Citizens, in your presence, and in that of Heaven, to bind myself by the solemnities of religious obligation, to the faithful performance of the duties allotted to me in the station to which I have been called.

In unfolding to my countrymen the principles by which I shall be governed, in the fulfilment of those duties, my first resort will be to that Constitution, which I shall swear, to the best of my ability to preserve, protect, and defend. That revered Instrument enumerates the powers, and prescribes the duties, of the Executive Magistrate; and, in its first words, declares the purposes to which these, and the whole action of the Government, instituted by it, should be invariably and sacredly devoted:—to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to the

people of this Union, in their successive generations. Since the adoption of this social compact, one of these generations has passed away. It is the work of our forefathers. Administered by some of the most eminent men who contributed to its formation, through a most eventful period in the annals of the World, and through all the vicissitudes of peace and war, incidental to the condition of associated man, it has not disappointed the hopes and aspirations of those illustrious benefactors of their age and nation. It has promoted the lasting welfare of that Country so dear to us all ; it has, to an extent, far beyond the ordinary lot of humanity, secured the freedom and happiness of this people. We now receive it as a precious inheritance from those to whom we are indebted for its establishment, doubly bound by the examples which they have left us, and by the blessings which we have enjoyed, as the fruits of their labours, to transmit the same, unimpaired, to the succeeding generation.

In the compass of thirty-six years since this great National Covenant was instituted, a body of Laws, enacted under its Authority, and in conformity with its provisions, has unfolded its powers, and carried into practical operation its effective energies. Subordinate departments have distributed the Executive functions, in their various relations to Foreign Affairs, to the Revenue and Expenditures, and to the Military Force of the Union, by land and sea. A co-ordinate department of the Judiciary has expounded the Constitution and the Laws ; settling, in harmonious coincidence with the Legislative will, numerous weighty questions of construction, which the imperfection of human language had rendered unavoidable. The year of Jubilee, since the first formation of our Union, has just elapsed ; that of the Declaration of our Independence is at hand. The consummation of both was effected by this Constitution.

Since that period, a population of four millions has multiplied to twelve ; a Territory bounded by the Mississippi, has been extended from sea to sea ; new States have been admitted to the Union, in numbers nearly equal to those of the first Confederation ; Treaties of Peace, Amity, and Commerce, have been concluded with the principal Dominions of the Earth ; the people of other Nations, inhabitants of regions acquired, not by conquest, but by compact, have been united with us in the participation of our rights and duties, of our burdens and blessings ; the forest has fallen by the axe of our woodsmen ; the soil has been made to teem by the tillage of our farmers ; our commerce has whitened every ocean ; the dominion of man over physical nature has been extended by the invention of our artists ; Liberty and Law have marched hand in hand ; all the purposes of human association have been accomplished as effectively, as under any other Government on the globe ; and at a cost little exceeding, in a whole generation, the expenditure of other Nations in a single year.



Such is the unexaggerated picture of our condition, under a Constitution founded upon the republican principle of equal rights. To admit that this picture has its shades, is but to say that it is still the condition of men upon earth. From evil, physical, moral, and political, it is not our claim to be exempt. We have suffered, sometimes by the visitation of Heaven, through disease; often, by the wrongs and injustice of other Nations, even to the extremities of war; and lastly, by dissensions among ourselves;—dissensions, perhaps, inseparable from the enjoyment of freedom, but which have, more than once, appeared to threaten the dissolution of the Union, and, with it, the overthrow of all the enjoyments of our present lot, and all our earthly hopes of the future. The causes of these dissensions have been various: founded upon differences of speculation in the theory of Republican Government; upon conflicting views of policy, in our relations with Foreign Nations; upon jealousies of partial and sectional interests, aggravated by prejudices and prepossessions which strangers to each other are ever apt to entertain.

It is a source of gratification and of encouragement to me, to observe that the great result of this experiment, upon the theory of human rights, has, at the close of that generation by which it was formed, been crowned with success, equal to the most sanguine expectations of its founders. Union, justice, tranquillity, the common defence, the general welfare, and the blessings of liberty,—all have been promoted by the Government under which we have lived. Standing at this point of time; looking back to that generation which has gone by, and forward to that which is advancing, we may, at once, indulge in grateful exultation and cheering hope. From the experience of the past, we derive instructive lessons for the future. Of the two great political parties which have divided the opinions and feelings of our Country, the candid and the just will now admit, that both have contributed splendid talents, spotless integrity, ardent patriotism, and disinterested sacrifices, to the formation and administration of this Government; and that both have required a liberal indulgence for a portion of human infirmity and error. The Revolutionary Wars of Europe, commencing precisely at the moment when the Government of The United States first went into operation under this Constitution, excited a collision of sentiments and of sympathies, which kindled all the passions, and embittered the conflict of parties, till the Nation was involved in War, and the Union was shaken to its centre. This time of trial embraced a period of five and twenty years, during which, the policy of the Union, in its relations with Europe, constituted the principal basis of our political divisions, and the most arduous part of the action of our Federal Government. With the catastrophe in which the Wars of the French Revolution terminated, and our own subsequent Peace with Great Britain, this baneful weed of party strife was uprooted. From that time, no difference of principle, connected either with the theory

of Government, or with our intercourse with Foreign Nations, has existed, or been called forth, in force sufficient to sustain a continued combination of parties, or to give more than wholesome animation to public sentiment, or legislative debate. Our political creed is, without a dissenting voice that can be heard,—That the will of the people is the source, and the happiness of the people the end, of all legitimate Government upon earth—That the best security for the beneficence, and the best guaranty against the abuse, of Power, consists in the freedom, the purity, and the frequency of popular elections—That the General Government of the Union, and the separate Governments of the States, are all sovereignties of limited powers; fellow servants of the same masters; uncontrolled within their respective spheres; uncontrollable by encroachments upon each other—That the firmest security of Peace is the preparation, during Peace, of the defences of War—That a rigorous economy, and accountability of public expenditures, should guard against the aggravation, and alleviate, when possible, the burden of taxation—That the Military should be kept in strict subordination to the Civil Power—That the freedom of the press and of religious opinion should be inviolate—That the policy of our Country is Peace, and the ark of our salvation Union,—are articles of faith upon which we are all now agreed. If there have been those who doubted whether a confederated representative democracy were a Government competent to the wise and orderly management of the common concerns of a mighty Nation, those doubts have been dispelled. If there have been projects of partial confederacies to be erected upon the ruins of the Union, they have been scattered before the winds. If there have been dangerous attachments to one Foreign Nation and antipathies against Another, they have been extinguished. Ten years of Peace, at home and abroad, have assuaged the animosities of political contention, and blended into harmony the most discordant elements of public opinion. There still remains one effort of magnanimity, one sacrifice of prejudice and passion, to be made by the individuals throughout the Nation, who have heretofore followed the standards of political party.—It is that of discarding every remnant of rancour against each other; of embracing, as countrymen and friends; and of yielding to talents and virtue alone, that confidence which, in times of contention for principle, was bestowed only upon those who bore the badge of party communion.

The collisions of party spirit, which originate in speculative opinions, or in different views of administrative policy, are, in their nature, transitory. Those which are founded on geographical divisions, adverse interests of soil, climate, and modes of domestic life, are more permanent, and therefore, perhaps, more dangerous. It is this which gives inestimable value to the character of our Government, at once federal and national. It holds out to us a perpetual admonition to preserve alike, and with equal anxiety, the rights of each individual State in its own Government, and the rights of the whole Nation in

that of the Union. Whatsoever is of domestic concernment, unconnected with the other members of the Union, or with Foreign Lands, belongs exclusively to the administration of the State Governments. Whatsoever directly involves the rights and interests of the federative fraternity, or of Foreign Powers, is of the resort of this General Government. The duties of both are obvious in the general principle, though sometimes perplexed with difficulties in the detail. To respect the Rights of the State Governments, is the inviolable duty of that of the Union; the Government of every State will feel its own obligation to respect and preserve the Rights of the whole. The prejudices, every where too commonly entertained against distant Strangers, are worn away, and the jealousies of jarring interests are allayed, by the composition and functions of the great National Councils, annually assembled from all quarters of the Union, at this Place. Here the distinguished men from every section of our Country, while meeting to deliberate upon the great interests of those by whom they are deputed, learn to estimate the talents, and do justice to the virtues, of each other. The harmony of the Nation is promoted, and the whole Union is knit together, by the sentiments of mutual respect, the habits of social intercourse, and the ties of personal friendship, formed between the Representatives of its several parts, in the performance of their service at this Metropolis.

Passing from this general review of the purposes and injunctions of the Federal Constitution, and their results, as indicating the first traces of the path of duty in the discharge of my public trust, I turn to the administration of my immediate Predecessor, as the second. It has passed away in a period of profound peace; how much to the satisfaction of our Country, and to the honour of our Country's name, is known to you all. The great features of its policy, in general concurrence with the will of the Legislature, have been—to cherish peace, while preparing for defensive war; to yield exact justice to other Nations, and maintain the rights of our own; to cherish the principles of freedom and of equal rights, wherever they were proclaimed; to discharge, with all possible promptitude, the National Debt; to reduce, within the narrowest limits of efficiency, the Military Force; to improve the organization and discipline of the Army; to provide and sustain a School of Military Science; to extend equal protection to all the great Interests of the Nation; to promote the civilization of the Indian Tribes; and, to proceed in the great system of internal improvements, within the limits of the Constitutional Power of the Union. Under the pledge of these promises, made by that eminent Citizen, at the time of his first induction to this office, in his career of eight years, the internal taxes have been repealed; 60,000,000 of the Public Debt have been discharged; provision has been made for the comfort and relief of the aged and indigent among the



surviving warriors of the Revolution; the regular Armed Force has been reduced, and its Constitution revised and perfected; the accountability for the Expenditures of Public Moneys has been made more effective; the Floridas have been peaceably acquired, and our Boundary has been extended to the Pacific Ocean; the independence of the Southern Nations of this Hemisphere has been recognized and recommended by example and by counsel, to the Potentates of Europe; progress has been made, in the defence of the Country, by Fortifications, and the increase of the Navy; towards the effectual suppression of the African Traffic in Slaves; in alluring the aboriginal hunters of our Land to the cultivation of the soil and of the mind; in exploring the interior regions of the Union; and in preparing, by scientific researches and surveys, for the further application of our national resources to the internal improvement of our Country.

In this brief outline of the promise and performance of my immediate Predecessor, the line of duty, for his successor, is clearly delineated. To pursue, to their consummation, those purposes of improvement in our common condition, instituted or recommended by him, will embrace the whole sphere of my obligations. To the topic of internal improvement, emphatically urged by him at his inauguration, I recur with peculiar satisfaction. It is that from which I am convinced that the unborn millions of our posterity, who are, in future Ages, to people this Continent, will derive their most fervent gratitude to the founders of the Union; that, in which the beneficent action of its Government will be most deeply felt and acknowledged. The magnificence and splendour of their public works are among the imperishable glories of the ancient Republics. The roads and aqueducts of Rome have been the admiration of all after ages, and have survived thousands of years, after all her conquests have been swallowed up in despotism, or become the spoil of barbarians. Some diversity of opinion has prevailed with regard to the Powers of Congress for legislation upon objects of this nature. The most respectful deference is due to doubts, originating in pure patriotism, and sustained by venerated authority. But nearly twenty years have passed since the construction of the first National Road was commenced. The authority for its construction was then unquestioned. To how many thousands of our countrymen has it proved a benefit? To what single individual has it ever proved an injury? Repeated liberal and candid discussions in the Legislature have conciliated the sentiments, and approximated the opinions of enlightened minds, upon the question of Constitutional Power. I cannot but hope that, by the same process of friendly, patient, and persevering deliberation, all Constitutional objections will ultimately be removed. The extent and limitation of the Powers of the General Government, in relation to this transcendently important interest, will be settled and acknowledged, to the common satisfaction of all; and every speculative scruple will be solved by a practical public blessing.



Fellow Citizens, you are acquainted with the peculiar circumstances of the recent election, which have resulted in affording me the opportunity of addressing you, at this time. You have heard the exposition of the principles which will direct me in the fulfilment of the high and solemn trust imposed upon me in this Station. Less possessed of your confidence, in advance, than any of my Predecessors, I am deeply conscious of the prospect that I shall stand, more and oftener, in need of your indulgence. Intentions, upright and pure; a heart devoted to the welfare of our Country, and the unceasing application of all the faculties allotted to me, to her service, are all the pledges that I can give, for the faithful performance of the arduous duties I am to undertake. To the guidance of the Legislative Councils; to the assistance of the Executive and Subordinate Departments; to the friendly co-operation of the respective State Governments; to the candid and liberal support of the People, so far as it may be deserved by honest industry and zeal, I shall look for whatever success may attend my public service: and knowing, that, except the Lord keep the City, the watchman waketh but in vain, with fervent supplications for His favour, to His over-ruling Providence I commit, with humble but fearless confidence, my own fate, and the future destinies of my Country.

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*MESSAGE from the President of The United States, transmitting Copies of a Correspondence with the Government of France, upon the subject of Injuries sustained by Citizens of The United States, since the year 1806.*

To the House of Representatives of The United States:

I transmit, herewith, to the House, a Report from the Secretary of State, with Copies of the Correspondence with the Government of France, requested by the Resolution of the House, of the 26th of May last.

Washington, December 23, 1824.

JAMES MONROE.

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*Department of State, Washington, December 23, 1824.*

The Secretary of State, to whom has been referred a Resolution of the House of Representatives, of the 26th of May last, requesting that the President of The United States would lay before that House, at the then next Session, as early as the public interest would permit, the Correspondence which might be held with the Government of France, prior to that time, on the subject of injuries sustained by Citizens of The United States, since the year 1806, has the honor of reporting to the President, Copies of the Documents requested by that Resolution.

JOHN QUINCY ADAMS.

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*No. 1.—The Secretary of State to Mr. Sheldon.*

(Extract.) *Department of State, Washington, 13th August, 1823.*

I HAVE had the honour of receiving your Dispatches Nos. 1 and 2; the latter dated the 10th of June. Mr. Gallatin arrived with his family, at New York, on the 24th of that month.

I enclose, herewith, Copies of the recent Correspondence between the Count de Menou, the Chargé d'Affaires of France, and this Department, on various subjects, highly interesting to the relations between the two Countries.

With regard to the Count's Note of the 11th of July, the President received, with great satisfaction, the testimonial of the Viscount de Chateaubriand, to the candour and ability with which Mr. Gallatin has performed the duties of his official station in France. The proposal to renew the negotiation in behalf of the well founded claims of our Citizens upon the French Government, in connection with a claim, on the part of France, to special privileges in the Ports of Louisiana, which, after a very full discussion, had, in the views of this Government, been proved utterly groundless, could neither be accepted nor considered as evidence of the same conciliatory spirit. The claims of our Citizens are for mere justice. They are for reparation of unquestionable wrongs; for indemnity or restitution of property taken from them, or destroyed, without shadow or colour of right. The claim under the 8th Article of the Louisiana Convention, has nothing to rest upon, but a forced construction of the terms of the Stipulation, which the American Government considered, and have invariably considered, as totally without foundation. These are elements not to be coupled together in the same Negotiation; and while we yet trust to the final sense of justice in France, for the adjustment of the righteous claims of our Citizens, we still hope that

their unquestionable character will, ultimately, secure to them a consideration unincumbered with other discussions. You will, respectfully, make this representation to the Viscount de Chateaubriand, with the assurance of the readiness of this Government to discuss the question upon the Louisiana Convention further, if desired by France, but of our final conviction that it is not to be blended with the claims of our Citizens for mere justice.

No. 1. (A.)—*Count de Menou to the Secretary of State.*

*Legation of France to The United States,*

(*Translation.*)

*Washington, July 11, 1823.*

HIS Excellency the Viscount de Chateaubriand, in announcing to me that Mr. Gallatin was about to leave France, expresses his regret at his departure, in such terms, that I should do him injustice, were I not to use his own expressions. "My correspondence with this Minister," he remarks to me, "has caused me to appreciate his talents, his ability, and his attachment to the system of friendship that unites the two Powers. It is with regret that I suspend my communications with him."

I esteem myself happy, Sir, in conveying to you such sentiments towards the Representative of The United States in France; and I should have thought that I had but imperfectly apprehended the design of the Viscount de Chateaubriand, had I neglected to communicate them to the Federal Government.

The Minister for Foreign Affairs reminds me also on this occasion, that Mr. Gallatin having frequently laid before him claims of Americans against the French Government, he had shown himself disposed to enter upon a general negotiation, in which they should be comprehended with the claims of French Citizens against the Federal Government, at the same time with the arrangement relative to the execution of the 8th Article of the Treaty of Louisiana. The object of HIS Excellency, was to arrive at a speedy and friendly disposition of all difficulties that might subsist between the two Powers, well assured that France and The United States would be found to have the same views of justice and conciliation.

HIS Excellency regrets that Mr. Gallatin, who, he says, "has convinced him how pleasing and advantageous it is to negotiate with a Statesman who exhibits candor and ability in his discussions," did not receive from his Government during his stay in France, the necessary powers for this double negotiation. But he informs me that the Government of His Majesty remains always disposed to open it, either with Mr. Gallatin, should he return with these powers, or with Mr. Sheldon, if the Federal Government should think proper to confer them on him.

I greatly desire, Sir, to see these propositions acceded to by the

Federal Government, and to be able to reply to His Excellency, as he expresses his wish that an arrangement putting an end to every subject of discussion, might soon be expected.

I pray the Secretary of State to receive, &c.

(The Chargé d'Affaires of France, near The United States.)

*The Hon. Secretary of State.*

MENOU.

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No. 1. (B.)—*The Secretary of State to the Count De Menou.*

SIR, *Department of State, Washington, August 12, 1823.*

YOUR Letter of the 11th of last month has been submitted to the consideration of the President of The United States, by whom I am directed to express the high satisfaction that he has felt, at the manner in which His Excellency the Viscount de Chateaubriand has noticed, in his Correspondence with you, in the temporary absence of Mr. Gallatin from France, and the terms of regard and esteem with which he notices, the character and conduct of that Minister. The anxious desire of the President for the promotion of the good understanding between The United States and France, could not be more gratified than by the testimonial of His Most Christian Majesty's Government to the good faith and ability with which the Minister of The United States at his Court, has performed his official duties.

With regard to the assurance of His Excellency the Viscount de Chateaubriand's disposition to enter upon a negotiation with Mr. Gallatin, in the event of his return to France, or with Mr. Sheldon, during his absence, concerning the claims of Citizens of The United States, on the Government of France, in connection with an arrangement concerning the 8th Article of the Louisiana Treaty, I am directed to observe that those subjects rest upon grounds so totally different, that the Government of The United States cannot consent to connect them together in negotiation.

The claims of the Citizens of The United States upon the French Government, have been of many years standing; often represented by successive Ministers of The United States, and particularly by Mr. Gallatin, during a residence of seven years, with a perspicuity of statement, and a force of evidence which could leave to the Government of The United States no desire but that they should have been received with friendly attention, and no regret but that they should have proved ineffectual. The justice of these Claims has never been denied by France; and while The United States are still compelled to wait for their adjustment, similar and less forceful Claims of the Subjects of other Nations, have been freely admitted and liquidated.

A long and protracted discussion has already taken place between the two Governments, in relation to the claim of France, under the 8th Article of the Louisiana Convention; the result of which has been a thorough conviction on the part of the American Government that



the claim has no foundation in the Treaty whatever. The reasons for this Convention have been so fully set forth in the discussion, that it was not anticipated a further examination of it would be thought desirable. As a subject of discussion, however, the American Government are willing to resume it, whenever it may suit the views of France, to present further considerations relating to it; but, while convinced that the claim is entirely without foundation, they cannot place it on a footing of concurrent negotiation with claims of their Citizens, the justice of which is so unequivocal that they have not even been made the subject of denial.

From the attention which His Excellency the Viscount de Chateaubriand has intimated his willingness to give to the consideration of these claims, the President indulges the hope that they will be taken into view upon their own merits; and in that hope the Representative of The United States at Paris, will, at an early day, be instructed to present them again, to the undivided and unconditional sense of the justice of France.

I pray you, Sir, to accept, &c.

*The Count de Menou.*

JOHN QUINCY ADAMS.

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*No. 2.—Mr. Sheldon to the Secretary of State.*

(Extract.)

*Paris, 16th October, 1823.*

I TOOK an early occasion, after the receipt of your Despatch, No. 1, of the 10th of August, to communicate the subjects of it, in a conversation I had with Viscount de Chateaubriand. His observations in relation to that of the Claims, as connected with the pretensions of France, under the Louisiana Treaty, were of a very general nature, and amounted to little more than a repetition of his readiness to enter upon the consideration of whatever subjects of discussion might exist between the two Countries, and the expression of his satisfaction at the prospect of being soon relieved from the labour which the affairs of Spain had thrown upon him, and having thus more time to devote to those of The United States and others not of the same pressing nature. He avoided any intimation of a disposition to take up the Claims by themselves, and it can hardly be expected that the French Government will, at this time, relax from the ground they have so lately taken upon that point. I informed him that I should communicate in writing an answer to the overture made by Count de Menou, at Washington, for uniting in a new negotiation this subject with that of the Louisiana Treaty, in substance the same as that Gentleman had already received there, and should again press upon the French Government the consideration of the Claims by themselves; to which he replied, that any communication I might make, would be received and treated with all the attention to which it was entitled, on his part.

No. 2. (A.)—*Mr. Sheldon to the Viscount de Chateaubriand.*

SIR,

*Paris, 11th October, 1823.*

MR. GALLATIN, during his residence as Minister of The United States in France, had, upon various occasions, called the attention of His Majesty's Government to the Claims of our Citizens for the reparation of wrongs sustained by them, from the unjust seizure, detention, and confiscation of their property, by Officers and Agents acting under authority of the Government of France. During the past year, His Majesty's Ministers had consented to enter upon the consideration of these Claims; but they proposed to couple with it another subject, having no connection with those claims, either in its nature, its origin, or the principles on which it depended—a question of the disputed construction of one of the Articles of the Treaty of Cession of Louisiana, by virtue of which France claimed certain commercial privileges in the Ports of that Province. Mr. Gallatin had not received from his Government any authority to connect these two dissimilar subjects in the same Negotiation, or indeed to treat upon the latter, which had already been very amply discussed at Washington, between the Secretary of State of The United States, and His Majesty's Minister at that Place, without producing any result, except a conviction on the part of the Government of The United States, that the privileges for French vessels, as claimed by the Minister of France, never could have been, and were not in fact, conceded by the Treaty in question. A stop was then put to the Negotiations already commenced in relation to the Claims, and with which had been united, on the proposition of the French Government, and as being naturally connected with it, the consideration of certain Claims of French Citizens on the Government of The United States.

The Chargé d'Affaires of France at Washington has lately, on behalf of his Government, expressed to that of The United States a wish that this double Negotiation might be resumed, and that a definitive Arrangement might be made, as well in relation to the disputed Article of the Louisiana Treaty, as of the subject of the Claims, upon one side, and upon the other. The Government of The United States has nothing more at heart than to remove, by friendly arrangements, every subject of difference which may exist between the two Countries, and to examine, with the greatest impartiality and good faith, as well the nature and extent of the Stipulations into which they have entered, as the appeals to their justice, made by Individuals claiming reparation for wrongs supposed to have been sustained at their hands.

But these two subjects are essentially dissimilar; there are no points of connection between them; the principles upon which they depend are totally different; they have no bearing upon each other, and the justice which is due to Individuals ought not to be delayed or

made dependent upon the right or the wrong interpretation, by one or the other Party of a Treaty having for object the regulation of entirely distinct and different interests.

The reclamations of American Citizens upon the Government of France are for mere justice, for the reparation of unquestionable wrongs; indemnity or restitution of Property taken from them or destroyed, forcibly and without right. They are of ancient date, and justice has been long and anxiously waited for; they have been often represented to the Government of France, and their validity is not disputed. Similar reclamations, without greater merit or stronger titles to admission, presented by Citizens of other Nations, have been favourably received, examined, and liquidated; and it seems to have been hitherto reserved to those of The United States alone to meet with impediments at every juncture, and to seek in vain the moment in which the Government of France could consent to enter upon their consideration.

Although the question arising under the 8th Article of the Louisiana Treaty has already been fully examined, the Government of The United States is ready, if it is desired by France, and if it is thought that any new light can be thrown upon it, to discuss the subject farther, whenever it shall be presented anew by France to their consideration. But they are convinced that, by blending it with the claims, not only will no progress be made towards its solution, but that these last, standing upon their own unquestionable character, ought not to be trammelled with a subject to which they are wholly foreign.

I am instructed to bring them anew before your Excellency, and to express the hope of the President, that His Majesty's Government will not continue to insist upon connecting together two subjects of so different a nature, but that the Claims may be taken up on their own merits, and receive the consideration which they deserved, unincumbered with other discussions.

I request your Excellency to accept the assurance, &c.

D. SHELDON.

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No. 3.—*The Secretary of State to Mr. Brown.*

(Extracts.)

*Washington, 23d December, 1823.*

You will immediately, after your reception, earnestly call the attention of the French Government to the Claims of our Citizens for indemnity.

You will, at the same time, explicitly make known that this Government cannot consent to connect this discussion with that of the pretension raised by France, on the construction given by her to the 8th Article of the Louisiana Cession Treaty. The difference in the nature and character of the two interests is such that they cannot, with propriety, be blended together. The Claims are of reparation

to individuals for their property taken from them by manifest and undisputed wrong. The question upon the Louisiana Treaty is a question of *right*, upon the meaning of a Contract. It has been fully, deliberately, and thoroughly investigated; and the Government of The United States are under the entire and solemn conviction that the pretension of France is utterly unfounded. We are, nevertheless, willing to resume the discussion, if desired by France: but to refuse justice to individuals, unless The United States will accede to the construction of an Article in a Treaty, contrary to what they believe to be its real meaning, would be not only incompatible with the principles of equity, but submitting to a species of compulsion derogatory to the honour of the Nation.

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*No. 4.—Mr. Brown to The Secretary of State.*

(Extract.)

*Paris, 28th April 1824.*

I HAVE, in a Letter to M. de Chateaubriand, Copy of which I have now the honour to send, made an effort to separate the Claims of our Citizens from the Louisiana question.

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*No. 4. (A.)—Mr. Brown to M. de Chateaubriand.*

SIR,

*Paris, 28th April 1824.*

IN the Conference with which your Excellency honoured me a few days ago, I mentioned a subject deeply interesting to many Citizens of The United States, on which I have been instructed to address your Excellency, and to which I earnestly wish to call your immediate attention.

It is well known to your Excellency that my Predecessor, Mr. Gallatin, during several years, made repeated and urgent applications to His Majesty's Government, for the adjustment of Claims to a very large amount, affecting the interests of American Citizens, and originating in gross violations of the Law of Nations, and of the rights of The United States, and that he never could obtain from France either a settlement of those Claims, or even an examination and discussion of their validity. To numerous Letters addressed by him to His Majesty's Ministers on that subject, either no answers were given, or answers which had for their only object to postpone the investigation of the subject. Whilst, however, he indulged the hope that these delays would be abandoned, and that the rights of our Citizens, which had been urged for so many years, would at length be taken up for examination, he learned, with surprize and regret, that His Majesty's Government had determined to insist that they should be discussed in connection with the question of the construction of the 8th Article of the Louisiana Treaty of Cession. Against this determination he strongly but ineffectually remonstrated, in a Letter to M. de Villèle, dated the 12th November 1822.



It is notorious that the Government of The United States, whenever requested by that of His Majesty, have uniformly agreed to discuss any subject presented for their consideration, whether the object has been to obtain the redress of public or private injuries. Acting upon this principle, the question of the 8th Article of the Louisiana Treaty was, upon the suggestion of the Minister of France, made the subject of a voluminous Correspondence, in the course of which all the arguments of the Parties respectively were fully made known to each other, and examined. The result of this discussion has been a thorough conviction, on the part of the Government of The United States, that the construction of that Article of the Treaty, contended for by France, is destitute of any solid foundation, and wholly inadmissible. After a discussion so full as to exhaust every argument on that question, the attempt to renew it in connection with the question of the Claims of our Citizens, appeared to the Government of The United States to be a measure so contrary to the fair and regular course of examining controverted points between Nations, that they instructed Mr. Sheldon, their Chargé d'Affaires, to prepare and present a Note, explaining their views of the proceeding, which he delivered on the 11th of October 1823. To this Note no answer has ever been received.

I have the express instructions of the Government again to call the attention of that of His Majesty to this subject, and to insist that the Claims of our Citizens may continue to be discussed as a distinct question, without connecting it in any way with the construction of the Louisiana Treaty. The two subjects are in every respect dissimilar. The difference in the nature and character of the two interests is such as to prevent them from being blended in the same discussion. The Claims against France are of reparation to individuals for their property taken from them by undisputed wrong and injustice. The Claim of France, under the Treaty, is that of a right founded on a Contract. In the examination of these questions, the one can impart no light to the other: they are wholly unconnected, and ought, on every principle, to undergo a distinct and separate examination. To involve, in the same investigation, the indisputable rights of American Citizens to indemnity for losses, and the doubtful construction of a Treaty, can have no other effect than to occasion an indefinite postponement of the reparation due to individuals, or a sacrifice on the part of the Government of The United States, of a Treaty Stipulation in order to obtain that reparation. The United States would hope that such an alternative will not be pressed upon them by the Government of His Majesty.

Whilst I indulge a hope that the course to which I have objected, will no longer be insisted on by His Majesty's Ministers, permit me to renew to your Excellency the sincere assurance that The United

States earnestly desire that every subject of difference between the two Countries should be amicably adjusted, and all their relations placed upon the most friendly footing. Although they believe that any further discussion of the 8th Article of the Louisiana Treaty would be wholly unprofitable, they will be at all times ready to renew the discussion of that Article, or to examine any question which may remain to be adjusted between them and France.

I request your Excellency to accept, &c.

JAMES BROWN.

*H. E. Viscount de Chateaubriand.*

*No. 5.—Mr. Brown to the Secretary of State.*

(Extract.)

*Paris, 11th May 1824.*

I HAVE the honour to enclose a Copy of the answer of the Minister of Foreign Affairs, to the Letter which I addressed to him on the 28th ultimo, upon the subject of the Claims of our Citizens against the French Government. You will perceive that no change has been made in the determination expressed to Mr. Gallatin, of connecting, in the same discussion, the question on the 8th Article of the Louisiana Treaty of Cession, and the Claims of the Citizens of The United States against France. In expressing this resolution, it has not been considered necessary even to notice the arguments made use of, to induce them to adopt a different opinion.

*No. 5. (A).—Viscount de Chateaubriand to Mr. Brown.—Translation.*

SIR,

*Paris, 7th May 1824.*

THE object of the Letter which you did me the honour to address to me on the 28th of April, is to recal the affair of American Claims, already repeatedly called up by your Predecessors, that they may be regulated by an Arrangement between the two Powers, and that, in this Negotiation, the examination of the difficulties which were raised about the execution of the 8th Article of the Louisiana Treaty should not be included.

Although the Claims made by France, upon this last point, be of a different nature from those of the Americans, yet no less attention ought to be paid to arrange both in a just and amicable manner.

Our Claims upon the 8th Article had already been laid before the Federal Government, by His Majesty's Minister Plenipotentiary, when he was negotiating the Commercial Convention of 24th June 1822.

The Negotiators, not agreeing upon a subject so important, the King's Government did not wish this difficulty to suspend, any longer, the conclusion of an Arrangement which might give more activity to Commerce, and multiply relations equally useful to the two Powers. It reserves to itself the power of comprehending this object in another

Negotiation, and it does not renounce, in any manner, the Claim which it urged.

It is for this reason, Sir, that my Predecessors and myself have constantly insisted, that the arrangements to be made upon the 8th Article of the Louisiana Treaty, should be made a part of those which your Government were desirous of making, upon other questions still at issue.

It is the intention of His Majesty not to leave unsettled any subject of grave discussion between the two States; and the King is too well convinced of the friendly sentiments of your Government not to believe, that The United States will be disposed to agree with France on all the points.

His Majesty authorizes me, Sir, to declare to you, that a Negotiation will be opened with you upon the American Claims, if this Negotiation should also include the French Claims, and particularly, the arrangements to be concluded concerning the execution of the 8th Article of the Louisiana Treaty.

Accept, Sir, the assurances, &c.

CHATEAUBRIAND.

*No. 6.—The Secretary of State to Mr. Brown.*

(Extracts.) *Department of State, Washington, August 14, 1824.*

THE subject which has first claimed the attention of the President has been, the result of your Correspondence with the Viscount de Chateaubriand, in relation to the Claims of numerous Citizens of The United States upon the justice of the French Government.

I enclose herewith a Copy of the Report of the Committee of Foreign Relations of the House of Representatives, upon several Petitions addressed to that Body at their last Session by some of those Claimants; and of a Resolution of the House adopted thereupon.

The President has deliberately considered the purport of M. de Chateaubriand's Answer to your Note of the 28th of April, upon this subject; and he desires that you would renew, with earnestness, the application for indemnity to our Citizens, for Claims notoriously just, and resting upon the same principle with others which have been admitted and adjusted by the Government of France.

In the Note of the Viscount de Chateaubriand to you of 7th May, it is said that he is authorized to declare, a Negotiation will be opened with you, upon the American Claims, if this Negotiation should also include French Claims, and particularly the arrangements to be concluded concerning the execution of the 8th Article of the Louisiana Treaty.

You are authorized, in reply, to declare, that any just Claims which subjects of France may have upon the Government of The United States, will readily be included in the Negotiation; and to sti-

pulate any suitable provision for the examination, adjustment, and satisfaction of them.

But the question relating to the 8th Article of the Louisiana Treaty, is not only of a different character—it cannot be blended with that of indemnity for individual Claims, without a sacrifice, on the part of The United States, of a principle of right. The Negotiation for indemnity presupposes that wrong has been done; that indemnity ought to be made; and the object of any Treaty stipulation, concerning it, can only be, to ascertain what is justly due, and to make provision for the payment of it. By consenting to connect with such a Negotiation that relating to the 8th Article of the Louisiana Convention, The United States would abandon the *principle* upon which the whole discussion concerning it depends. The situation of the Parties to the Negotiation would be unequal. The United States, asking reparation for admitted wrong, are told that France will not discuss it with them, unless they will first renounce their own sense of right, to admit, and discuss with it a Claim, the *justice* of which they have constantly denied.

The Government of The United States is prepared to renew the discussion with that of France, relating to the 8th Article of the Louisiana Treaty, in any manner which may be desired, and by which they shall not be understood to admit that France has *any* claim under it whatever.

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*No. 7.—Mr. Brown to the Secretary of State.*

SIR,

*Paris, August 12th, 1824.*

SOME very unimportant changes have taken place in the composition of the Ministry: The Baron de Damas, late Minister of War, is now Minister of Foreign Affairs; the Marquis de Clermont Tonnerre is appointed to the Department of War; and the Count Chabrol de Crousol to that of the Marine.

These Appointments are believed to correspond with the wishes of the President of the Council of Ministers, and do not inspire a hope that our Claims will be more favourably attended to than they have been under the former Administrations. The interpretation of the 8th Article of the Louisiana Treaty, contended for by France, will, I apprehend, be persisted in, and all indemnity refused until it shall have been discussed and decided. After the Correspondence which has already passed upon that Article, it would appear that any further discussion upon it would be wholly unprofitable. With a view, however, of ascertaining the opinions of the Minister of Foreign Affairs, I shall, at an early day, solicit a conference with him, and inform you of the result.

I have had the honour of receiving your Letter recommending the Claim of Mr. Kingston to my attention. The difficulties which that



Claim must experience, from its antiquity, and from the operation of the Treaty of 1803, cannot have escaped your observation. It has also to encounter, in common with all our Claims, the obstacle presented by the 8th Article, which is found broad enough to be used as a shield to protect France, in the opinion of Ministers, from the examination and adjustment of any claim which we can present.

I have the honour to be, &c.

JAMES BROWN.

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*No. 8.—Mr. Brown to the Secretary of State.*

SIR,

*Paris, September 28, 1824.*

LITTLE has occurred, of importance, during the present month, except the death of the King. This event had been anticipated for nearly a year; he had declined gradually, and the affairs of the Government have been, for some time, almost wholly directed by Monsieur, who, on his accession to the throne, has declared that his reign would be only a continuation of that of the late King. No change in the policy of the Government is expected, and, probably, none in the composition of the Ministry. The present King is satisfied with M. de Villèle, who is at its head; and if any of its members should be changed, the spirit in which public affairs are directed will not, it is believed, be affected by that circumstance.

The ceremonies attending the change of the Crown have principally occupied the public attention for the last fortnight. It will, I presume, be officially announced by the French Minister at Washington, and, according to the forms observed here, will, I understand, require fresh letters of credence for all Foreign Ministers at this Court, addressed to the new King.

My health has not permitted me (having been confined, for some weeks, to the bed by a rheumatic affection) to confer with the Baron de Damas on our Affairs, since his appointment as Minister of the Foreign Department. I should regret this the more, if I were not satisfied that the same impulse will direct the decisions of the Government, upon these points, now, as before he had this Department in charge, and that no favourable change, in those decisions, can be expected from any personal influence which might be exerted by the new Minister. I shall, however, take the earliest opportunity that my health will allow, to mention the subject to him, and ascertain what his views of it are.

I have the honour to be, &c.

JAMES BROWN.

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*No. 9.—Mr. Brown to the Secretary of State.*

(Extracts.)

*Paris, October 23, 1824.*

THE Packet ship which sailed from New York on the 1st of September, brought me the Letter which you did me the honour to address to me on the 14th of August.

In conformity with the instructions contained in that Letter, I have addressed one to the Baron de Damas, Minister of Foreign Affairs, a Copy of which I now enclose. I expect to receive his answer in time to be sent by the Packet which will sail from Havre on the 1st of next month, in which event it may probably reach Washington about the 15th of December.

The recent changes which have been made in the Ministry, of which I have already informed you, do not justify any very strong expectation that a change of measures, in relation to our affairs at this Court, will follow. The same Individuals fill different Places in the Ministry from those which they formerly held, but, in all probability, adhere to their former opinions in relation to the subjects of discussion between The United States and France. On the point to which my Letter to the Baron de Damas particularly relates, the Count de Villèle has already given his deliberate views in his Letters to Mr. Gallatin, dated 6th and 15th November, 1822, and I have every reason to believe that they remain unchanged. Having bestowed much attention on the subject, it is probable his opinion will be, in a great measure, decisive as to the answer which shall be given to my Letter. It is the opinion of many well informed men, that in the course of a few months, important changes, will be made in the composition of the Ministry. As these changes, however, will proceed from causes wholly unconnected with Foreign affairs, I am by no means sanguine in my expectations, that, under any new composition of the Ministry, we may hope for a change of policy as it relates to our Claims. The 8th Article of the Louisiana Treaty will be continually put forward as a bar to our Claims, and its adjustment urged as often as we renew our claim for indemnity.

The Journal des Debats, of this morning, states, that, at a superior Council of Commerce and of the Colonies, at which His Majesty yesterday presided, Mr. de St. Cricq, President of the Bureau de Commerce, made a Report on the Commercial Convention of 24th June, 1822, between The United States and France.

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No. 9. (A.)—*Mr. Brown to The Baron de Damas.*

SIR,

*Paris, October 22, 1824.*

I AVAILED myself of the earliest opportunity to transmit to my Government a Copy of the Letter which I had the honour to address to the Viscount de Chateaubriand, on the 28th day of April last, together with a Copy of his answer to that Letter, dated 7th of May.

After a candid and deliberate consideration of the subject of that Correspondence, my Government has sent me recent instructions to renew with earnestness the application already so frequently and so ineffectually made, for indemnity to our Citizens for Claims notori-

ously just, and resting on the same principles with others which have been admitted, and adjusted by the Government of France.

In reply to that part of the Viscount de Chateaubriand's Letter, in which he offers to open with me a Negotiation upon American Claims, if that Negotiation should also include French Claims, and particularly the arrangements to be concluded concerning the 8th Article of the Louisiana Treaty, I have been instructed to declare, that any just Claims which the Subjects of France may have upon the Government of The United States, will readily be embraced in the Negotiation; and that I am authorized to stipulate any suitable provision for the examination, adjustment, and satisfaction of them.

The question relating to the 8th Article of the Louisiana Treaty, is viewed by my Government as one of a very different character. It cannot be blended with that of indemnity for Individual Claims, without a sacrifice, on the part of The United States, of a principle of right. Every negotiation for indemnity necessarily presupposes that some wrong has been done, and that indemnity ought to be made; and the object of every Treaty Stipulation respecting it, can only be to ascertain the extent of the injury and to make provision for its adequate reparation. This is precisely the nature of the negotiation for American Claims which has been for so many years the subject of discussion between the Governments of The United States and of France. The wrongs done to our Citizens have never been denied, whilst their right to indemnity has been established by acts done by the French Government in cases depending upon the same principles under which they derive their claim. By consenting to connect with such a negotiation, that relating to the 8th Article of the Louisiana Treaty, The United States would abandon the principle upon which the whole discussion depends. When asking for reparation for acknowledged wrong, The United States have been told that France will not discuss it with them, unless they will first renounce their own sense of right, and admit and discuss, in connection with it, a claim, the justice of which they have hitherto constantly denied. In any negotiation commenced under such circumstances, the situation of the Parties would be unequal. By consenting to connect the pretensions of France under the 8th Article of the Louisiana Treaty, with claims for indemnity for acknowledged injustice and injury, The United States would be understood as admitting that those pretensions were well founded; that wrong had been done to France, for which reparation ought to be made. The Government of The United States, not having yet been convinced that this is the case, cannot consent to any arrangement which shall imply an admission so contrary to their deliberate sense of right.

I am authorized and prepared, on behalf of The United States, to enter upon a further discussion of the 8th Article of the Louisiana

Treaty, in any manner which may be desired, and by which they shall not be understood previously to admit that the construction of that Article, claimed by France, is well founded; and also to renew the separate negotiation for American Claims, embracing at the same time, all just claims which French subjects may have upon the Government of The United States.

The change which has lately taken place in His Majesty's Department of Foreign Affairs, encourages the hope that this important subject will be candidly reconsidered; that the obstacles which have arrested the progress of the Negotiation may be removed; and that the subjects of contestation between the two Governments may be ultimately adjusted, upon such principles as may perpetuate the good understanding and harmony which have so long subsisted between The United States and France.

Should I, however, be disappointed in the result of this application, it is to be seriously apprehended, that, as The United States have not hitherto seen, in the course of the discussion, any just claim of France, arising from the 8th Article of the Louisiana Treaty, so, in the persevering refusal of the French Government to discuss and adjust the well founded claims of Citizens of The United States to indemnity for wrongs, unless in connection with one which they are satisfied is unfounded, The United States will ultimately perceive only a determination to deny justice to the Claimants.

Permit me, respectfully, to request, that, at as early a day as your convenience will allow, your Excellency will favour me with an answer to this Letter.

I embrace with pleasure this occasion to offer, &c.

*His Excellency Baron de Damas.*

JAMES BROWN.

*PROCEEDINGS of the State of South Carolina, in The United States, respecting the importation or ingress of Persons of Colour.*

MESSAGE OF THE GOVERNOR.

*Executive Department, Columbia, Nov. 25, 1824.*

To the Honourable the President and Members of the Senate.

FELLOW-CITIZENS,

I HAVE the honour to transmit to you a Correspondence between the President and Secretary of State of The United States, and Mr. Canning, British Minister near The United States—with the opinion of Mr. Wirt, Attorney-General of The United States, upon the constitutionality of the third Section of an Act passed in South-Carolina, entitled, "An Act for the better regulation and government of free negroes and persons of colour, and for other purposes."

I deem this subject worthy of your serious attention. My continued indisposition prevents me from presenting such views as I other-



wise would have done. The reflection, however, which I have given the matter, brings my mind to the conclusion, that South-Carolina, has the right to interdict the entrance of such Persons into her Ports, whose organization of mind, habits, and associations, render them peculiarly calculated to disturb the peace and tranquillity of the State, in the same manner as she can prohibit those afflicted with infectious disease, to touch her Shores. The law of self-preservation derives its authority from a higher source than any municipal or international law—and it should be the first policy of Government to prevent, if possible, such encroachments as eventually would lead to the injury and destruction of all that the Citizen holds most dear. This necessity of self-preservation is alone to be determined by the power to be preserved; it therefore rests with those whose rights are to be affected, to judge how long such laws shall exist, as were enacted for the peace and security of the community.

Your Fellow-Citizen,

JOHN L. WILSON.

*The Secretary of State to the Governor of South-Carolina.*

SIR,

*Department of State, Washington, July 6, 1824.*

BY the direction of the President of The United States, I have the honour of enclosing Copies of several successive Representations received at this Department from the Representatives of the British Government here, relating to the operation of an Act of the Legislature of South-Carolina; a Copy of the opinion of the Attorney-General of The United States, upon the Act, is likewise enclosed; and I have it in charge to express the hope of the President, that the inconvenience complained of will be remedied by the Legislature of the State of South-Carolina itself.

I am, with great respect, &c.

JOHN QUINCY ADAMS.

*Mr. Stratford Canning to the Secretary of State.*

SIR,

*Washington, Feb. 15, 1823.*

IT is my duty to bring under your notice an Act lately passed by the Legislature of the State of South-Carolina, which cannot remain in force without exposing the Vessels of His Majesty's Subjects, entering the Ports of that State in prosecution of their lawful commerce, more especially such as are engaged in the colonial trade, to the treatment of the most grievous and extraordinary description.

The accompanying Transcript of the third Section of the Act to which I refer, will make you acquainted with the particular nature of the grievance attendant on the enforcement of the Law in question. I am confident that a mere perusal of the Enactment will suffice to engage your interference for the purpose of securing His Majesty's Subjects, when trading with this Country, from the effects of its execution.

One Vessel under the British Flag has already experienced a most reprehensible act of authority under the operation of this Law; and if

I abstain for the present from laying before you the particulars of the transaction, it is only in the persuasion, that ample redress has, by this time, been obtained on the spot, at the requisition of His Majesty's Consul at Charleston, and that the interference of the General Government, in compliance with the representation which I have now the honour to address to you, will be so effectual as to prevent the recurrence of any such outrage in future.

I beg, Sir, that you will accept, &c.

STRATFORD CANNING.

(*Enclosure.*)—Third Section of an Act passed in the State of South-Carolina, entitled, "An Act for the better regulation and government of free negroes and persons of colour, and for other purposes."

*And be it further enacted by the authority aforesaid,* That if any Vessel shall come into any Port or Harbour of this State, from any other State or Foreign Port, having on board any free negroes, or persons of colour, as cooks, stewards, mariners, or any other employment on board said Vessel, such free negroes or persons of colour shall be liable to be seized and confined in gaol, until said Vessel shall clear out and depart from this State; and that when said Vessel is ready to sail, the Captain of said Vessel shall be bound to carry away the said free negro or person of colour, and pay the expenses of his detention; and in case of his neglect or refusal so to do, he shall be liable to be indicted, and on conviction thereof, shall be fined in a sum not less than 1000 Dollars, and imprisoned not less than two months; and such free negroes or persons of colour shall be deemed and taken as absolute slaves, and sold in conformity to the provisions of the Act passed on the 20th day of December, 1820, aforesaid.

*Mr. Addington to the Secretary of State.*

SIR,

*Washington, April 9, 1824.*

IT will be in your recollection that His Majesty's Envoy in this Country, and myself, have both had occasion, within the last twelve months, to address representations to you on the subject of a law enacted in the State of South-Carolina in December, 1822, prohibiting, under severe penalties, the entrance into that State of free persons of colour.—Against this Law His Majesty's Minister protested generally as being in manifest contravention of Treaties existing between Great Britain and The United States; and its effects were more particularly pointed out by me in August last, as having operated practically in a manner highly prejudicial to the commerce, and oppressive to the Subjects, of Great Britain.

To His Majesty's Envoy, Sir, you gave a written, and to me a verbal, assurance that every effort should be made on the part of the Executive Government to remedy the grievances complained of, and prevent a recurrence of them.

I lament to say, that those efforts, in whatever way applied, have hitherto not been attended with the good effects which might have been expected to result from them. The evil still continues in undiminished vigour, and it becomes my duty, in pursuance of instructions which I have recently received from His Majesty's Secretary of State, to bring the subject once more under your serious consideration, and to demand redress and reparation for injuries inflicted on a Subject of His Majesty who has had the misfortune to fall under the oppressive weight of the Statute in question.

The complainant, Mr. Petrie, of Liverpool, as will more particularly appear by his own Letter, addressed to the President of His Majesty's Board of Trade, of which I have the honour herewith to enclose a Copy, having occasion in prosecution of his commercial pursuits, to touch at the Port of Charleston, in a Vessel called the *Marmion*, in the month of December of last year, had scarcely entered that Port, when one of his crew, a man of colour, was seized by the police officers, and forcibly carried off to gaol, where he remained incarcerated during the stay of the complainant at Charleston. Three others of his crew, whom he had placed on board a Packet, for the purpose of having them conveyed, via New-York, to England, were also apprehended on board that Vessel, in the same forcible manner, and imprisoned. All the remonstrances of Mr. Petrie against this violent and unjustifiable act, whether made personally, or through His Majesty's Consul at Charleston, were of no avail. During his stay at Charleston, the men remained in prison, and the fees attending their ultimate release, together with the loss of their services, put the complainant to a considerable expence.

I feel persuaded, Sir, that the bare recital of the outrage above recorded will suffice, without any further commentary on my part, to induce you, agreeably to the assurances already given by you, to use every effort in your power, not only to procure for Mr. Petrie, that redress to which he seems to be so justly entitled, but to induce the Authorities of South-Carolina to repeal the obnoxious Law, or at least so to modify it, as that it shall no longer operate to the detriment of Nations trading to The United States, on the faith of Conventions, of which it is a direct and unqualified violation.

I have the honour to be, &c.

H. U. ADDINGTON.

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*Mr. Petrie to the President of His Majesty's Board of Trade.*

SIR,

*Liverpool, Jan. 20, 1824.*

PERHAPS my Communications should have come through another channel, or His Majesty's Ministers may already be informed on the subject; but the certain knowledge of many of the Subjects of this Country suffering under a very grievous Law in The United States of

America, in the particular State of South-Carolina, merely from the circumstance of their being coloured, has induced me to trouble you with my Correspondence, conceiving that no Country shall ever be permitted to treat any of the Subjects of Great Britain so hostilely, without the interference of Government.

The Law is rigorously prosecuted, prohibiting all coloured persons, sailors, or others, from coming to that State, under the penalties of being imprisoned, corporally punished, and made slaves of. Being an Officer in His Majesty's Navy, I have known the value of our seamen, and could not help remonstrating against this most oppressive Law last month when I was in Charleston, where I carried part of a crew, four in number, of those unfortunate people, in the Ship Marmion from this Port; but my remonstrances were of little or no avail, nor could the British Consul, after repeated application to him by every master in that Port, belonging to British Vessels, obtain any alteration, or qualification, of the Law. The Marmion was not well moored at the wharf, before the Officers, who were appointed to put this Law in execution, came on board, and forcibly carried one of the four of these men to gaol, where he remained during my stay in Charleston; the three others I had previously conveyed on board of a Packet on the eve of sailing to New-York, where they were likely to obtain a passage more readily to England; but on board this Vessel they were apprehended, by men who seemed anxious only to get their fees, and thrown into prison, depriving them of the opportunity to comply with the Law, which they would have done in a few hours. The release of these unfortunate men from gaol, fees, and loss of their services, put me to considerable expence.

You will, no doubt, Sir, be better able to judge of the justice of such Laws, enacted against a great portion of the Subjects of this Country, especially of seamen out of this Port, than I can; better knowing the commercial relationship between the two Countries.

I am, Sir, &c.

*The Right Hon. W. Huskisson.*

PETER PETRIE.

*Mr. Wirt to the Secretary of State.*

*Office of the Attorney-General*

SIR,

*of The United States, May 8, 1824.*

THE third Section of the Legislative Act of South-Carolina, entitled, "An Act for the better regulation and government of free negroes and persons of colour, and for other purposes," which you submit for my opinion, is in the following words:

"And be it further enacted by the authority aforesaid, That if any Vessel shall come into any Port or Harbour of this State, from any other State or Foreign Port, having on board any free negroes or persons of colour, as cooks, stewards, mariners, or in any other employ-



ment on board said Vessel, such free negroes or persons of colour shall be liable to be seized and confined in gaol until said Vessel shall clear out and depart from this State; and that when said Vessel is ready to sail the Captain of said Vessel shall be bound to carry away the said free negro or person of colour, and pay the expences of his detention; and in case of his neglect or refusal so to do, he shall be liable to be indicted, and on conviction thereof, shall be fined in a sum not less than 1000 Dollars, and imprisoned not less than two months; and such free negroes or persons of colour, shall be deemed and taken as absolute slaves, and sold in conformity to the provisions of the Act passed on the 20th day of December, 1820, aforesaid."

The question which you propound for my opinion on this Section, is, "whether it is compatible with the rights of Nations in amity with The United States, or with the National Constitution."

By the National Constitution, the power of regulating commerce with Foreign Nations, and among the States, is given to Congress; and this power is, from its nature, exclusive. This power of regulating commerce is the power of prescribing the terms on which the intercourse between Foreign Nations and The United States, and between the several States of the Union, shall be carried on. Congress has exercised this power; and among these terms there is no requisition that the Vessels which are permitted to enter the Ports of the several States shall be navigated wholly by white men. All Foreign and Domestic Vessels, complying with the requisitions prescribed by Congress, have a right to enter any Port of The United States, and a right to remain there unmolested in vessel and crew for the peaceful purposes of commerce. No State can interdict a Vessel which is about to enter her Ports, in conformity with the Laws of The United States, nor impose any restraint or embarrassment on such Vessel, in consequence of her having entered in conformity with those Laws.—For the regulations of Congress on this subject being both supreme and exclusive, no State can add to them, vary them, obstruct them, or touch the subject in any shape whatever, without the concurrence and sanction of Congress. By the regulations of Congress, Vessels navigated by black, or coloured men, may enter any Port of the Union for the purposes of commerce, without any molestation or restraint in consequence of having so entered; but the Section of the Law of South-Carolina which we are considering, declares, that if any Vessel shall enter one of her Ports, navigated in whole, or in part, by negroes or persons of colour, the crew, so far as they are negroes or persons of colour, shall be immediately seized and imprisoned at the expence of the captain, with various other contingent and severe penalties both on the captain and his imprisoned crew. Here is a regulation of commerce, of a highly penal character, by a State, superadding new restrictions to those which have been imposed by Congress; and de-

claring in effect, that what Congress has ordained may be freely and safely done, shall not be done but under heavy penalties. It seems very clear to me, that this section of the law of South-Carolina is incompatible with the National Constitution, and the Laws passed under it, and is therefore void. All Nations in amity with The United States, have a right to enter the Ports of the Union for the purpose of commerce, so long as by the Laws of the Union, commerce is permitted, and so far as it is permitted; and inasmuch as this Section of the Law of South-Carolina is a restriction upon this commerce, it is incompatible with the rights of all Nations which are in amity with The United States.

There is another view of this subject. By the National Constitution, the power of making Treaties with Foreign Nations, is given to the General Government, and the same Constitution declares that the Treaties so made shall constitute a part of the supreme Law of the land. The National Government has exercised this power also, of making Treaties. We have Treaties subsisting with various Nations, by which the commerce of such Nations with The United States, is expressly authorized, without any restriction as to the colour of the crews by which it shall be carried on. We have such a Treaty with Great Britain as to which Nation this question has arisen. This Act of South-Carolina forbids, or what is the same thing, punishes what this Treaty authorizes.

I am of opinion that the Section of the Law under consideration is void, for being against the Constitution, Treaties, and Laws of The United States, and incompatible with the rights of all Nations, in amity with The United States.

I have the honour to be, &c.

WILLIAM WIRT.

*The Hon. John Quincy Adams.*

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MESSAGE OF THE GOVERNOR.

*Executive Department, Columbia, December, 1, 1824.*

To the Honourable the President and Members of the Senate.

FELLOW CITIZENS,—I have the honor herewith to submit to your consideration, a proposed amendment to the Constitution of The United States from the State of Georgia, in the following words:—

“That no part of the Constitution of The United States ought to be construed, or shall be construed, to authorize the importation or ingress of any person of color into any One of The United States, contrary to the Laws of such State.”

In submitting this proposed amendment, I feel a confidence that I am submitting, what already attaches to each State in its sovereign and independent capacity. A few days since I had the honour of enclosing to you the remonstrance of the British Minister, Mr. Canning, on a Clause of a Legislative Act passed in South-Carolina, entitled an

Act for the better regulation and government of Free Negroes and Persons of Colour, and for other purposes ;" together with the opinion of Mr. Wirt, upon the same. A reference to the rule laid down by England, under similar circumstances, will at once prove that the deductions I drew in my Communication, were well warranted by her own practice.

In December 1778, the Roman Catholicks made a *protestation* of their principles ; on which the Legislature of England formed an oath to be taken by that body of men. A doubt arose as to the meaning intended by the Legislature to be affixed to the word interference. The Solicitor General (Lee's) opinion was taken on the right of the Legislature to make this enactment. His opinion is as follows :

"A State or Constitution has the right of *self defence* as well as an individual : and it is competent to each Community to make such regulations, and to stipulate such conditions as appear on their best consideration to produce the greatest good, and to avert the most evil from society. *For no man has a right to remain in, an'd be protected by the Laws of any, Community that is plotting its destruction. On this simple and plain ground I think every Legislature ought to proceed :* and I trust that it will be thought neither injurious to the civil rights, nor offensive to the consciences of peaceable Catholics to comply with it. Pretending to no subtile casuistry I cannot see how any man who can take the oath of 1778, can rationally object to the proposed oath".

The opinion of Solicitor General Lee, given in Dec. 1791, was confirmed by Mr. Charles Butler, the learned Commentator on Coke upon Lyttleton. If this be the Law of England, in respect to their own Roman Catholick subjects, how much more strongly does it apply to Persons who may reasonably be suspected, from our repeated knowledge of past facts, to be the secret Emissaries of insurrection among our Slave Population ? And with what right can a British Ministry insist upon our foregoing those rights of self-protection which they have acknowledged as of permanent validity, by the opinion of their Public Law Officer in the preceding extract, and exercised so often since, by the frequent suspension of their Habeas Corpus Act and their repeated Laws for the exportation of Aliens.

There should be a spirit of concert and of action among the Slave holding States, and a determined resistance to any violation of their local institutions. The crisis seems to have arrived when we are called upon to protect ourselves. The President of The United States and his Law Adviser, so far from resisting the efforts of a foreign Ministry, appear to be disposed, by an argument drawn from the overwhelming powers of the General Government, to make us the passive instruments of a policy, at war, not only with our interests, but destructive also of our national existence. The evils of Slavery have been visited upon us, by the cupidity of those who are now the

champions of universal emancipation. A firm determination to resist at the threshold every invasion of our domestic tranquillity, and to preserve our sovereignty and independence as a State, is earnestly recommended; and if an appeal to the first principles of the right of self-government be disregarded, and reason be successfully combated by sophistry and error, there would be more glory in forming a rampart with our bodies on the confines of our Territory, than to be the victims of a successful rebellion, or the Slaves of a great consolidated Government.

Respectfully, your Fellow-Citizen,

JOHN L. WILSON.

*RESOLUTIONS passed by the Senate of South-Carolina,  
December, 1824.*

*Resolved*,—That the State of South-Carolina is desirous of complying with any Measure necessary to promote harmony between this State and the Government of The United States and Foreign Nations, and will cheerfully comply in all cases which do not involve a surrender of the safety and inherent Rights of the State.

*Resolved*,—That the Legislature of this State has carefully considered the Documents transmitted by the President of The United States, being a Correspondence with the British Minister, relative to a Law passed December, 1822, regulating Free Negroes and Persons of Colour, and can yet perceive no departure from the duties and rights of this State, or of The United States, in that Law.

*Resolved*,—That the Legislature sees with profound regret the alarming symptoms of an unconstitutional interference with her coloured population, whose condition as it existed at the establishment of the present Constitution of The United States, is expressly recognized, (paragraph 3 of Sec. 2, of Art. 1.) and distinctly guaranteed by that Instrument.

*Resolved*,—That it is as much the duty of the State to guard against insubordination or insurrection among our Coloured Population, or to controul and regulate any cause which might excite or produce it, as to guard against any other evil, political or physical, which might assail us. This duty is paramount to all *Laws*, all *Treaties*, all *Constitutions*. It arises from the supreme and permanent law of nature—the law of self-preservation; and will never by this State be renounced, compromised, controlled, or participated, with any Power whatever.

*Resolved*,—That this Legislature is aware of the dangerous and insidious conduct of a party in Great Britain and The United States, who are ever ready to indulge their benevolent propensities at the expence of their neighbours, and who seem to reflect with complacency on the scenes of carnage and cruelty, which must be the result of their inconsiderate and mischievous machinations.



*Resolved*,—That this Legislature sees with surprise that the attention of the British Minister was not directed to the numerous Acts which have been passed by the Parliament of Great Britain within the last twenty years, for the expulsion of Aliens, and for the repeal of the Habeas Corpus Act, founded on the suspicion that Foreigners were interfering with the domestic tranquillity of the Country, and justified in Great Britain by the very law of self-preservation, to which we now appeal.

*Resolved*,—That this Legislature having received a very strange and ill advised Communication from the Legislature of the State of Ohio, approves of the reply of the Governor of Georgia to a similar Communication, and will on this subject be ready to make common cause with the State of Georgia, and the other Southern States similarly circumstanced in this respect.

*Resolved*, therefore,—That the Legislature of South-Carolina *protests* against any claims of Right, of The United States, to interfere in any manner whatever with the domestic regulations and preservatory measures, in respect to that part of her property which forms the Coloured Population of the State, and which property they will not permit to be meddled with, or tampered with, or in any manner ordered, regulated, or controlled, by any other Power, Foreign or Domestic, than this Legislature.

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**PROVISIONAL ORDINANCE of the Republic of Colombia, relative to the Equipment and Service of Vessels bearing Letters of Marque.—Bogota, 30th March, 1822.**

(Translation.)

FRANCISCO DE PAULA SANTANDER, of the Liberators of Venezuela and Cundinamarca, decorated with the Cross of Bogota, General of Division, and Vice-President of the Republic, charged with the Executive Power, &c. &c. &c.

Authorized by the Law of the 4th October, 1821, to frame and issue the Ordinances and Regulations for uniformly directing the Equipment and Service of Vessels bearing Letters of Marque; conformably with the Law of Nations and with that of Spain, our actual Enemy, I have decreed, and do decree as follows:

*Provisional Ordinance for Letters of Marque.*

I. Every Colombian has the right to fit out Vessels belonging to him, as Privateers, to defend his property and the rights of the Republic, and to annoy its Enemies, especially during the present War for Independence. Government will grant the Letters of Marque that may be required for such necessary purposes.

II. Strangers who may wish and apply for permission to fit out Privateers for the advantage of the Republic, are granted the same

right as Colombians, under the express condition that the Surety or Sureties whom they may offer, be Inhabitants of, or be domiciliated in Colombia, and that the Vessel or Vessels to be fitted out, be previously nationalized, conformably to the Law of the 27th September, 1821.

III. Whoever may intend to fit out a Privateer must apply to the Commandant-General of the Marine Department, in which he may reside, for the necessary permission, by addressing to him a memorial expressing his christian and his surname, place of birth and residence, the christian and surname of the Captain who is to command her, the class and name of the Vessel intended to be equipped, her dimensions, the arms, guns, and men she has, and those she may want.

IV. On receiving such application, the Commandant-General of the Marine shall give notice to the Applicant, to deposit in the Public Treasury the Security hereinafter mentioned, according to the burthen of the Vessel, or to name substantial bondsmen capable of being responsible for such Security, which will be required in the following proportions:—

For a Vessel from 40 to 100 tons,	- - 3000 Dollars.
100 to 150	- - - 4000
150 to 200	- - - 6000
above 200	- - - 8000

V. After the Security shall have been deposited, and the dimensions of the Vessel taken, the Commandant-General of the Marine shall deliver to the Owner, Copies of this Ordinance, as well as of the Code of Laws, and of the Instructions communicated to him by the Secretary of State for the Marine, respecting the mode in which neutral or friendly Vessels are to be treated, in some particular cases, according to the Treaties that may be concluded with several Nations. The Owner shall expressly engage, both for himself, and in the name of the Captain of his Privateer, to observe all the above, as the principal rule of his conduct.

VI. Should the Owner want men, arms, and ammunition, to equip his Vessel, the Commandant-General of the Marine shall allow him to enlist Sailors and Landsmen in the Department, not belonging to the Squadron, nor wanted for the Service of the Republic; and shall supply him, from the public magazines, with the other articles required, provided they be not wanted for the Public Service. In these cases the Commandant-General of the Marine shall refer to the Intendant of the Department, to lend every aid consistent with his authority. The Owner shall enter into a bond for the payment of these supplies, according to their cost and charges, should they not be returned at the end of his cruize: but he shall not be held to make good their wear and tear during the service, nor be answerable for them in cases of shipwreck, or capture of the Privateer, after having made resistance, and supported with courage the honour of the Colombian Flag.

**VII.** The Owners may enter into such Agreements, as they shall see proper, with the Officers and Seamen of their Vessels, in respect to the period of their Service, and the division of prize-money, provided they be not contrary to the existing Laws and Decrees of the Republic, and that they be authenticated by the Secretary of the Marine. The Commandant-General of the Marine shall demand, and keep Copies of such Agreements, in order to enforce their performance.

**VIII.** The Officers as well as the Sailors and the rest of the Crews of Privateers, shall enjoy the same privileges and rights as those of their respective classes in the Navy of the Republic, during their term of service: as such they shall be admitted into the hospitals, and treated on the same footing as the individuals of the Marine and Army; and they shall enjoy invalid pensions when rendered unfit for further service, by wounds or contusions received in action against an enemy.

**IX.** Government will notice with the highest distinction, actions or combats maintained by a Privateer with an another of equal force, or against enemy's Ships of War, and liberally reward them. Officers and Sailors of Privateers, concerned in capturing such Vessels, or in sinking them, shall be entitled to emolument or promotion, in the Marine of the Republic, and shall moreover receive the following rewards:—

For each cannon of the calibre of 12 pounds or upwards, in a Ship-of-War, 50 Dollars.

For each cannon of less than 12 pounds calibre, in a Ship-of-War, 40 Dollars.

Should the Vessels, in which the cannon are taken, be Privateers, a reduction of one-fourth part of the above rewards shall be made, and should they be armed Merchant Vessels, then a reduction of one-half of the premiums, designated for captured Ships of War, shall be made:

**X.** Privateers shall have the same right as Ships of War to visit and search, at sea, Merchant Vessels, whether National or Foreign; and to demand from their Masters or Supercargoes, the delivery of registers and papers under which they navigate, the documents of property and affreightment of the Vessel, the invoices and bills of lading of the cargo, the log-book, and the lists of the passengers and crew. National and Foreign Ships of War are exempt from this right of search.

**XI.** The Captains of Privateers shall conduct the search mentioned in the preceding Article, without exercising any act of violence, or offering any affront towards the Crews and Passengers of the Vessels searched, and without exacting from them any contribution or payment whatever. Any omission in this respect shall be considered as a serious offence, and shall be visited with an exemplary and severe

punishment, even that of death, if the enormity of the case should require it.

XII. The visit and search shall be made, by the Privateer sending a boat on board the Vessel, when within range of cannon or musket shot, and either by going through the particulars of the search on board the said Vessel, or by taking on board of the Privateer the Captain or Supercargo of the Vessel visited, together with the documents required to be inspected; but on no account shall it be lawful to make a national, friendly, or neutral Vessel, lower a boat, unless very strong suspicions amounting almost to evidence, or the security of the Privateer, render it necessary.

XIII. If the Vessel visited have the documents abovementioned, and it appear from them that she is a national, friendly, or neutral Vessel, and that she has on board no enemy's property, or any articles declared by this Ordinance to be contraband, she shall be allowed to navigate freely, and a Certificate shall be given by the Master, of the good conduct of the Captain of the Privateer.

XIV. No Privateer can detain any Vessel unless in the following Cases:

1<sup>st</sup>. When the Vessel has been constructed by an Enemy, and does not appear, either by sale, or any other legitimate right, to have become the property of a neutral or a friend, which must be established by the documents exhibited by her.

2<sup>nd</sup>. When the Captain, Owner, Master, Supercargo or Purser, or a third part of the Crew of the Vessel, belong to a hostile Nation; in which case it will be necessary for them to prove, legally, that they are in the service of a friendly or neutral Nation, and have ceased to be enemies of the Republic.

3<sup>rd</sup>. When Officers of the land or sea service, or Troops, of an Enemy, are found on board, in which case the Vessel will be considered as an enemy.

4<sup>th</sup>. When property belonging to an enemy, according to the invoices, bills of lading and charter parties, is found on board. In this case the following distinction shall be made:—if the Master or Supercargo declare and produce such property, it shall be transhipped, after giving a receipt descriptive of its quality; and the freight, which by the terms of the agreement, may, to that latitude, be due upon it, shall be paid: it is, however, understood that if the transhipment cannot take place at sea, the Vessel shall be sent to a Port of the Republic, and the detention occasioned thereby shall be made good: but if neither the Captain nor the Supercargo, declare and produce the property, the Vessel must be detained and sent to a Port of the Republic for adjudication, and in such case no claim of compensation can be admitted, for detention, freight, or any duty whatsoever.



5th. When the Vessel visited comes within the description of what this Ordinance declares to be a good prize.

XV. When a Privateer visits a Vessel which, conformably to the foregoing Article, must be detained, the Captain shall receive separate declarations from the Master, from the Supercargo, and from some other individual, on the following points :—1st. Their names and Nation. 2nd. Under what Papers they navigate, which must be specified and numbered in the Declarations. 3rd. From what Port proceeding, and whither bound. 4th. What cargo she carries, and to whom belonging. 5th. Where the Vessel was built, and who is her Owner. These Declarations, signed by the Officer of the Privateer appointed to receive them, and by the Declarants, shall be certified by the Clerk, and if none be on board, by the Purser, assisted by the Interpreter (should any have been employed) and in their presence they shall be folded and sealed up in a packet, with all the vouchers which may have been presented. The documents not contained in the Declaration, or not signed by any Legitimate Authority, shall not be admitted as legal evidence ; which circumstance ought to be mentioned to the Declarants, lest they should conceal any Paper.

XVI. A Vessel may be detained in two ways :

1. By the Privateer keeping her under convoy.
2. By sending her to one of the principal Ports of the Maritime Department for adjudication. In both cases the Captain of the Privateer shall commission, in writing, an Officer, who, as Prize-master, shall take the command of her, and some of his Crew to man her.

XVII. On the Officer appointed taking charge of the Prize, the sealed packet, mentioned in the 15th Article, shall be delivered to him, with all the other Papers that may have been found on board, and the Prize shall be surrendered to him, with the hatchways closed and sealed, or with an exact inventory of what the Vessel may contain, if circumstances allow of making out any : and, besides, the Master, Captain or Supercargo, together with one or two of the men or passengers of the captured Vessel, shall remain on board of her, to witness the conduct of the Prize-master and to vindicate the rights of the Vessel before the Prize Court to be held on her.

XVIII. The rest of the Crew and Functionaries of the captured Vessel, as well as the Officers and Enemy's Troops that may be found on board, shall be sent on board the Privateer, where they shall be kept in safe custody, without treating them ill, or putting them in irons, unless they should mutiny, or attempt to escape and take advantage of the kindness and honour of the Captor. The lists and musters of these Persons shall also be sent with the other documents found in the Prize, and the Captain of the Privateer shall deliver the said prisoners, at the first Port of the Republic at which he may arrive, to the

Commandant, and shall desire him to write a receipt beneath a list of all their names.

XIX. The Public Treasury shall pay to the Captain of the Privateer the amount of the rations he may have supplied to each of the prisoners, in the following proportions :

For a General Officer down to a Major, one dollar a day. For an Officer of the rank of Captain, and downwards, four reals a day. For a Private Soldier, two reals a day. The Intendant of the Department shall order these payments to be made, on the advice sent him by the Authority that shall have received the prisoners, as well as by the Commandant-General of the Marine, who is to compare these lists with the muster-roll that the Captain of the Privateer may have presented at the adjudication of the Prize.

XX. The Captain of a Privateer shall on no account release a prisoner belonging to a hostile Nation who is of the military profession, whatever be his rank ; but he may set at liberty, with or without ransom, persons in a civil capacity, whether passengers, or employed on board, provided they be not Sailors. In this case, the Captain of the Privateer shall require from them a Certificate declaratory of their having been liberated by him.

XXI. The Crews or Passengers of friendly or neutral Vessels, detained or captured, shall be released, if the Captain judge it conducive to the greater safety of the Vessel, with the clothes they wear, and shall be treated with every regard during their detention : upon obtaining their liberty, they shall be required to give a certificate, such as specified in the preceding Article.

XXII. When an enemy's Vessel is captured, which it may not be expedient to preserve, either from her inferior value, or from any danger in which the Captain of a Privateer may find himself, or because she cannot be sent to any Port of the Republic, he shall take care to collect the Declarations and Documents specified in Article 15, and to transfer on board of the Privateer, or of any other Vessel, the persons, and such of the effects as it may be wished and practicable to save, whereupon the Vessel shall be either sunk or burnt. No hostile Vessel shall on any account whatever be released, even if she tender ransom ; and the Privateer who shall set her at liberty shall be treated and tried as a Pirate, since, by leaving to the enemy the means of annoyance and of prosecuting the War, he fails in discharging the trust he took on himself when he received his Letters of Marque.

XXIII. If the captured Vessel be a Neutral, and if it be impossible either to save or send her into any Port of the Republic, she shall be set free, and nothing shall be taken out of her but such effects as are enemy's property, along with the papers proving them to be such, and which shall be produced in Court, as directed in Section 4 of the

**14th Article** of this Ordinance. Privateers contravening the contents of this Article shall be severely punished.

**XXIV.** It shall not be lawful for the Individuals on board a Privateer to dispose of any Article belonging to the prize, previous to her being adjudged and condemned; the transgressor shall forfeit not only the interest he may, on whatever account, have in her, but thrice the amount of what he has appropriated, which sum shall be conferred on those who shall inform against, or secure him. Should, however, the Captain of the Privateer have occasion to employ any of the effects of the captured Vessel, either for the equipment or the subsistence of his own Ship, he shall give a receipt for them to the Captain or Supercargo of the Prize, on condition of abiding by the sentence of the Prize Court in regard to indemnification.

**XXV.** The Prize-master of a Prize shall direct his course with her to the chief Port of a Maritime Department of the Republic, in order to her being adjudged by the Commandant-General of the Marine, whom the Law has invested with this right. On his arrival at that Port, he shall give him notice that he brings in a Prize, and shall request him to appoint a day for adjudging her. Should the Prize, and the effects on board, render it necessary to place them in security, these circumstances must be represented, in order that the requisite steps may likewise be taken, with his concurrence, and that of the Master or Supercargo of the Vessel taken.

**XXVI.** Should the captured Vessel be exposed to any risk in the Port, or should it be expedient to unload her, to preserve the effects on board, they shall be examined, and an account taken of them, and there shall be present at this operation the Commandant-General of the Marine, or the Judge of that Department, by virtue of his commission, the Clerk of the Marine, or his Deputy, the Prize Master, and the Captain or Supercargo of the vessel taken. When the examination is ended, the inventory shall be signed by all present, and a warehouse shall be provided at the Port, with two keys, for depositing the goods in safety, one key to be kept by the Prize Master, and the other by the Captain or Supercargo of the Vessel captured.

**XXVII.** The prohibition not to take any thing out of the Prize, before adjudication, expressed in the 24th Article, shall not have effect, in the case of the Vessel's hull, her Cargo, or any part of it, running any risk of being lost, or damaged; for in such an emergency, the Commandant-General of the Marine shall, upon the application of any of the parties concerned, permit her to be disposed of at a public Auction, by the Commissary of the Marine, or by his Deputy, before the Clerk of the Marine, and in the presence of the persons interested. The proceeds of the Sale shall be deposited in the Public Treasury, to be delivered to whomsoever they may be declared to appertain, after deducting therefrom the auction charges.

XXVIII. The adjudication of the Prize shall take place before the expiration of the third day after its arrival at the Port, unless it be necessary to examine her, or discharge the goods, in which case the adjudication may be deferred for the time requisite for examination and unloading.

XXIX. The adjudication of the Prize shall be brief, summary, and verbal: and before the Commandant-General, assisted by his Judge, and by the Secretary of the Marine, there shall appear on behalf of the Privateer, the Prize-Master, or the Captain himself, and on behalf of the latter, the Captain or Supercargo of the Prize. The Prize-Master shall bring with him, and deliver at the adjudication, the closed packet of which mention is made in the 15th and 17th Articles. The Commandant-General shall open it in the presence of the above-mentioned persons, and shall cause to be read the Declarations required by the 15th Article, and the vouchers therein referred to. In the next place shall be examined and read the Commission of the Captain of the Privateer, and all the other Papers found on board, either in any way bearing upon the others, or likely to afford information useful to the Prize Court. After which shall be heard, the charges and defence made by the parties, together with the arguments which they adduce, and they shall be interrogated with a view to remove all doubts, and ascertain the truth of the facts. The whole of which shall be embodied in a minute, concluding with the sentence which, on hearing the opinion of the Judge, is to be pronounced by the Commandant-General.

XXX. If, from the voluminousness of the Documents produced, or from the arguments brought forward, or from any doubt which may arise, it should not be possible to terminate the trial in one day, then it shall be continued during the second, and even the third, in the presence of the same persons that attended on the first day. In delivering the sentence, reference shall be made to the Article or Articles of this Ordinance which condemn the Vessel, and the whole, or part of her Cargo; and the grounds of decision shall be derived solely from the Declarations and Documents contained in the closed packet, which alone are admissible; so that the award may appear to rest as much as possible on different reasons. Only, in case the Captain of the captured Vessel, or his Supercargo, allege to have lost their Documents, owing to some probable accident, shall it be lawful to admit another species of evidence, which shall be exhibited at the precise time appointed by the Commandant-General.

XXXI. Four Copies shall be taken of the sentence and of the minute; the first for the Prize Master; the second for the Captain or Supercargo of the captured Vessel; the Third for the Collector of the Customs, either to prevent him from levying any duty at all on the Vessel or her Cargo after they have been declared free on quit.



ting the Port, in order that he may collect only the duties sanctioned by the Law in the case of Vessels condemned; and the Fourth for the Office of the Secretary of State and the Marine, together with a Copy of the Documents by which the Court has been guided in pronouncing judgment.

XXXII. If the sentence wholly absolve the Vessel, with her Cargo, she shall be allowed to depart freely after affording her all the protection which her unfortunate case may require, or she shall be allowed the free disposal of such part of her Cargo as may have been acquitted. In this case no anchorage duty shall be demanded.

XXXIII. If, on the contrary, the sentence be condemnatory, the property condemned shall be delivered to the Prize Master, that he may fulfil the instructions of the Captain of the Privateer, who shall defray only the costs of warehouse rent, if any, of the duties fixed by Law on actual importation in National Vessels, according to tariff, and of the five per cent required by the same Law for the military hospitals. The Commandant-General shall give the necessary notice to the Custom House to levy the duties agreeably to the 31st Article.

XXXIV. If the Vessel be detained without legitimate cause, as not being comprised within the cases, which this Ordinance points out as liable to detention, the Captain of the Privateer shall be liable to the costs, the charge of delay, and other expences incurred by the Captured. When the Prize has been justly detained, she shall be subject to all the expences incurred.

XXXV. The sentence of the Commandant-General shall be carried into execution as laid down in the 32nd and 33rd Articles, if, within 24 hours, after having been passed, no appeal be brought in the High Court of Justice of the Republic. Appeals shall only be admitted within that time, and on previous security being given by the appellant for the amount of the damages and losses, caused to the respondent by the delay, should the appeal prove unfounded, and the Commandant-General shall fix the amount of the security required, after taking the opinion of the Judge of his Department, according to the circumstances of the case. Upon these conditions the appeal shall be admitted, and the Commandant-General of the Marine shall inform the High Court of Appeal of the original process, by transmitting a Copy of the same.

XXXVI. The Copy of the sentence and pleadings directed to be given in Court to the Prize-Master is understood to be intended for the Captain of the Privateer himself, should he appear to give information of the capture of the Prize.

XXXVII. When the Prize arrives at a Port where no Tribunal of the Marine is established, and when, by any accident, or any apprehended danger, she cannot proceed to the Capital of the Maritime Department, at which the Commandant-General resides, then the pleadings and interrogatories stated in Article 29 may take place before

the Provincial Commandant of the Marine residing at that Port, and, if there be none, before the Military Commandant; but, whichever of the two it may happen to be, he shall be attended by the Judge or Assessor of War appointed by the Government, and should there not be any, then by a lawyer, and in the presence either of the Military Clerk, or if none of that description be at hand, of a Notary Public. All the proceedings which, as enacted by Article 29, are to be digested into a minute, shall be delivered, in the original, together with all the Documents produced on the occasion to the Commandant-General of the Marine of the Department, for him to take cognizance of, and decide upon them, after consulting the Judge competent to assist him.

**XXXVIII.** The Commandant-General shall condemn as good Prizes such detained Vessels, as come under the following descriptions:

1st. Every Vessel belonging to an Enemy, or navigating under an Enemy's Flag, whether a Ship of War or Privateer, or Merchant Vessel, with every thing on board, excepting only property which, from the Documents required by this Ordinance, shall appear to belong to neutrals or friends.

2d. Those that convey Troops or Articles of contraband for the service of an Enemy, such as cannon, mortars, howitzers, swivels, grenades, muskets, rifles, pistols, pikes, swords, sabres, lances, halberts, fuzes, bombs, balls, and every other article required for those or any other arms: gunpowder, salt-petre, matches, lead, shields, helmets, cuirasses, and other defensive cloathing, for equipping soldiers; flags, horses and their harnesses, and generally, all sorts of cloathing, equipment and accoutrement for soldiers, or instruments of war, both by sea or by land.

3d. Vessels of Pirates, or Mutineers, with every thing found with them: reserving, however, their rights to those who, without having had directly or indirectly any concern in the piracy, or mutiny, may have any property on board, or own the Vessel, which shall be restored to them, deducting one third of the value thereof, for the benefit of the Captors.

4th. Merchant Vessels, neutral or friendly, that make a deliberate and continued resistance against Vessels of the Colombian Navy, or against Privateers, to avoid a search. If the resistance be not deliberate, neutral or friendly Vessels may be detained, for adjudication, as suspected, and if their innocence be proved, they shall be set at liberty, on condition of their indemnifying the Captor, against whom it shall not be lawful to prefer any complaint.

5th. Vessels fighting under a Flag different from that of the Nation to which they belong.

6th. Vessels unprovided with a regular Pass, or that have two, one of them being granted by an enemy.

7th. Vessels not presenting the Documents required by Article 10

since it ought to be well understood that those Papers will be considered as null and void, which are not regularly signed and issued by the proper Authority, unless such Vessels certify having lost them by some unavoidable accident, and offer to present duplicates of them in due form, within the time fixed by the Commandant-General.

8th. All Vessels found proceeding to an enemy's Port, declared in a state of blockade, after the expiration of the time fixed in the Decree containing such declaration. Vessels met with before the expiration of that time, shall be warned off, after receiving an intimation of the blockade, of which occurrence a notification shall be subjoined to the passport: and if encountered a second time such Vessels shall be condemned.

9th. Vessels leaving a Port blockaded, after the expiration of the time fixed in the Declaration of blockade, unless they can satisfactorily prove that it was impossible for them to quit the Port within the prescribed time.

10th. Vessels discovered carrying on an illegal trade in Slaves from the Coast of Africa, within the waters of the jurisdiction of the Republic. In this case the Negroes shall be set at liberty, and if that cannot be done, they shall be conveyed to some Port of the Republic, and delivered to the Military Commandant residing in it, who is to give a receipt for them, and to be desired to send them to the Military Commandant-General of the Department under whose orders he is placed, or to the Commandant nearest to him, with a message to dispose of them agreeably to the directions of the Government. The Public Treasury shall pay to the Privateer, by way of indemnity, the same price that is fixed for rations supplied to prisoners of war on shore.

11th. Neutral or friendly Vessels, having the property of an enemy on board, as has been noticed in the 4th Section of the 14th Article of this Ordinance.

12th. All Vessels detained conformably to the 1st and 2nd Sections of the same 14th Article.

13th. Vessels coming under the meaning of the 3rd Section of the said 14th Article, if it be not proved that the enemy's Officers and Troops have been received on board out of pure humanity, to save them from fire, shipwreck, or other unavoidable catastrophe.

XXXIX. The release of any Vessel, or her condemnation as a good prize, applies likewise to her Cargo, unless some portion of it be exempted in conformity with the regulations set forth, and in the particular cases specified, in the present Ordinance.

XL. Vessels found abandoned at sea, without their crews, shall be conducted as good prizes to some Port of the Republic, and when the abandonment shall have been proved before the Commandant-General of the Marine, the Prize shall be examined and inventories shall be made out of her effects, which shall be lodged in warehouses, with the form prescribed in Article 26. The Com

be present at these operations to supply the place of the Captain, or of the Supercargo, and shall keep the key intended for either of them. Upon the abandonment of the Vessel being proved, the Commandant General shall notify it by summoning those who may set up any claim to the Vessel and Cargo, and if, after the expiration of one year from the day of the summons, no individual present himself to prefer such a claim, or if those who present themselves fail in establishing their titles, or if the Owners should turn out to be Enemies, she shall be condemned as a good Prize, and the amount of her value shall be divided into two equal parts, the one to be awarded to the State, and the other to the Privateer that encountered her. Should the Proprietors appear, and prove to be natural born subjects, friends, or neutrals, then they shall be put in possession of the part awarded to the State, so that the Privateer at any rate may receive the other part.

**XLI.** Friendly or neutral Vessels captured by an enemy, and retaken by a Privateer of the Republic, previous to their having been 24 hours in the power of the Captor, shall be restored to their Owners, and one half of the proceeds shall be reserved for the Re-Captor: but should the Vessel retaken be National, the following regulations shall be observed:

1. The adjudication of retaken Vessels to the Re-Captor cannot take place unless the captured Vessels have been conducted to some Port of the Captor's Nation.

2. If the Re-Capture was effected before they were brought to an enemy's Port, then the Privateer re-capturing, shall receive one third part of her total value.

3. If the Re-Capture be made by a Colombian Vessel of War, the Re-Captor shall be entitled only to receive one fourth part, and shall restore the rest to the Proprietors, as well in this case as in that stated in the preceding Regulation.

**XLII.** When Ships of War and Privateers of the Republic, or the latter alone, sail as convoy, and one or more prizes are made by the Ships ordered on that service by the Commodore, the Prizes shall be equally shared among all the Convoy and Ships; but if the former should navigate out of sight of the Convoy, the Prize shall be distributed among the Privateers engaged in taking her, or in equal parts, according to the agreement which they have made.

**XLIII.** If two or more Privateers combine in any manner to capture one or more Vessels, and the Prize be attacked and boarded by only one, then to this one the Prize shall be adjudged, by reason of the greater service performed, and of the dangers she has incurred in the combat; but though only one shall have boarded, yet all the Privateers that have fought the prize, shall be entitled to an equal share in the distribution of the proceeds.

**XLIV.** When the Capture is made by a Vessel belonging to the Colombian Navy, her Officers and Men shall have the one half of the value



of the prize, that would be due according to this Ordinance, to a Privateer fitted out by private Individuals, and the other half shall be adjudged to the State, and be paid into the Public Treasury. The share devolving by this Article to the Captor, shall be divided into four equal parts, one of which shall be adjudged to the Commander, another shall be distributed among the Officers, and the remaining two parts to the Crew, and the Troops, in equal proportion.

XLV. No Vessel shall be captured or chased, within the range of cannon shot of the Coasts of any friendly or neutral Power, although the chase may have begun in the offing. Vessels detained contrary to the tenor of this Article shall be liberated, whether they be enemies or not.

XLVI. In return for the protection granted by Government to Privateers, a right is reserved of taking for the Service of the Army and Navy, such arms, ammunition, cloathing, and other articles of equipment and outfit for Troops or Vessels, captured by Privateers, as the Republic may want, in which case they shall be paid for from the Public Treasury, at the current market price, or according to an agreement with the Intendant, or with the Commandant-General of the Department.

XLVII. In order to ascertain the allowances to be made to the Captains of Privateers, according to the 9th and 19th Articles, and to the 10th Section of the 38th Article, the Captain or Owner shall appear before the Commandant-General of the Maritime Department, where the Privateer was fitted out, and present the Proofs which support his claim; that is to say, the Prisoners themselves, whom he may have taken, or the receipts given to him by the Military Commandants at the Ports at which he may have touched, and the original log-books, to ascertain therefrom the rations furnished to them. The Commandant-General shall compare these Proofs with the lists and muster-rolls given in at the trials, and he shall make a circumstantial Report to the respective Intendant, and deliver to him Copies of all the Papers, to enable the latter to give orders for payment: if a Navy Office happen to be at that Port, the Commandant-General of the Maritime Department shall immediately draw out an order upon it for payment, at the foot of these Copies.

XLVIII. When a prize made by an armed Cruizer of one Department is adjudicated by the Commandant-General of another Department of Marine, the latter shall transmit to the former a complete Copy of the Proceedings, that he may be in possession of the Documents requisite for regulating the payment of the rewards due to the Privateer.

XLIX. If at the expiration of the term for which the Commission is granted, it be not countersigned or renewed, or if before that period Peace be concluded, or a Truce be made, the Privateers shall repair to the

Department, in which they were fitted out, to disarm; and all those shall be treated and considered Pirates who shall fail to comply with this injunction within the following month, or within the period fixed in the Treaty of Peace, or in any other Negociation for the cessation of hostilities, in the seas in which they may have been cruizing.—Whenever a Privateer disarms, the articles with which she was supplied, according to the provisions of the 6th Article, shall be returned or paid for, and the Captain shall answer any complaints that may be preferred respecting his conduct during his cruize.

L. The Commandant-General of the Marine, in bringing such charges shall ground them on the demands or complaints that may have been addressed to the Government, and on the Documents which the Captain of the Privateer shall present in evidence, namely, his log-book and journals, in which he shall note down all his transactions, from the time of his equipping the Ship for sea and during the cruizes which he has made, what Ports he has entered, and what Vessels he has visited, together with the certificates of his conduct, as also how many Vessels he has detained or captured, and the vouchers, shewing how he has disposed of the prisoners, for which purpose the lists and muster rolls, and the passports, shall be compared with the receipts that may have been given him, either for delivering up the prisoners, or for releasing them when they prove to be natives. If any doubt or suspicion arise, then a summary examination of the crews shall be instituted till the facts be cleared up and the truth discovered.

LI. The Commandant-General shall then muster the crew of the Privateer, to ascertain from each man whether the agreement made with him has been fulfilled by paying him his proportion of prize money. In case of doubt as to the amount due to each, he shall also examine the manifests that may have been obtained of the prizes and their value, together with the book of distribution kept by the Captain of the Privateer or by his Purser, and upon consideration of those Documents he shall, after hearing the opinion of the Judge of the Department, form his decision.

LII. If the Captain of a Privateer owe nothing to the State for the articles furnished him, if no real charges be found against him, or if he reply satisfactorily to those preferred, the deposit of money he may have lodged in the Treasury shall be returned to him, or he shall be released from the security which he has given. In a contrary case, the sureties are held answerable to the State, in preference, and afterwards to the other Creditors; it being well understood that the Captain of a Privateer is responsible for the payment of every debt exceeding the amount of his security.

LIII. To encourage the services of, and give effect to the rewards offered by this Ordinance to, the Officers and Crews of Privateers, the Captains shall transmit to the Commandant-General of the Marine, a

list of all those killed, or disabled, in any combat against the Enemies of the Republic, with the observations requisite for forming an opinion upon their merits and services, and another list of those who have distinguished themselves by their good conduct, their bravery, application skill or sagacity, with an enumeration of the names of those who may be desirous to enter the Naval Service of the Republic. The Commandant-General shall transmit these Documents to the Office of the Secretary of State for the Marine.

LIV. The Articles of War being applicable to the Officers and Crews of Privateers, during the period of their services, they are also subject to the forms of trial and to the penalties assigned by this Ordinance, and by the General Ordinance of the Navy from the 32d to the 36th Articles inclusive.

LV. From the day of the publication of this Ordinance in each of the chief Ports of the Maritime Departments, it shall begin to be faithfully and exactly observed and fulfilled.

Given, signed with my Hand, sealed with the Seal of the Republic, and countersigned by the underwritten Secretary of State for the Marine and War Department, in the Palace of Bogotá, this 30th of March 1822, the 12th of Independence.

FRANCISCO DE PAULA SANTANDER.

By H. E. the Vice-President of the Republic.

PEDRO BRICENO MENDEZ,

*Secretary of Marine and War.*

**TREATY of AMITY, COMMERCE, and NAVIGATION,  
between Great Britain and Colombia.—Signed at Bogotá,  
April 18, 1825.**

*In the Name of the Most Holy Trinity. En el Nombre de la Santísima Trinidad.*

Extensive commercial intercourse having been established for a series of years between the Dominions of His Britannick Majesty, and the several Provinces or Countries of America, which (now united) constitute the State of Colombia, it seems good for the security as well as encouragement of such commercial intercourse, and for the maintenance of good understanding between His said

Habiéndose establecido extensas relaciones comerciales, por una serie de años, entre varias Provincias o Países de America, que, unidos ahora, constituyen la República de Colombia, y los Dominios de Su Magestad el Rey del Reyno Unido de la Gran Bretaña e Yrlanda, ha parecido conveniente, así para la seguridad y fomento de aquella correspondencia comercial, como para man-

Britannick Majesty and the said State, that the relations now subsisting between them should be regularly acknowledged and confirmed, by the signature of a Treaty of Amity, Commerce, and Navigation. For this purpose they have named their respective Plenipotentiaries, that is to say:—His Majesty The King of the United Kingdom of Great Britain and Ireland, John Potter Hamilton, Esquire; and Patrick Campbell, Esquire; and the Vice President, charged with the Executive Power of the State of Colombia, Pedro Gual, Secretary of State in the Department for Foreign Affairs; and General Pedro Briceño Mendez:—who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

I. There shall be perpetual, firm, and sincere Amity between the Dominions and Subjects of His Majesty The King of the United Kingdom of Great Britain and Ireland, His Heirs and Successors, and the State and People of Colombia.

II. There shall be, between all the Territories of His Britannick Majesty in Europe, and the Territories of Colombia, a reciprocal freedom of Commerce. The Subjects and Citizens of the two Countries, respectively, shall have liberty, freely and securely to come, with their Ships and Cargoes, to all such Places, Ports, and Rivers, in the Territories

tener la buena inteligencia entre la dicha República, y Su dicha Magestad, que las relaciones que ahora subsisten entre ambas, sean regularmente conocidas y confirmadas, por medio de un Tratado de Amistad, Comercio, y Navegacion. Con este objeto han nombrado sus respectivos Plenipotenciarios, á saber;—Su Magestad El Rey de la Gran Bretaña e Yrlanda, á Juan Potter Hamilton, Escudero; y á Patricio Campbell, Escudero:—y el Vice Presidente encargado del Poder Ejecutivo de la República de Colombia, á Pedro Gual, Secretario de Estado y del Despacho de Relaciones Exteriores de la misma; y al Jeneral Pedro Briceño Mendez:—quienes, despues de haberse comunicado sus respectivos Plenos Poderes, hallados en debida y propia forma, han convenido y concluido los Articulos siguientes:—

I. Habrá perpetua, firme, y sincera Amistad entre los Dominios y Súbditos de Su Magestad El Rey del Reyno Unido de la Gran Bretaña e Yrlanda, Sus Herederos y Succesores, y la República y Pueblo de Colombia.

II. Habrá entre todos los Territorios de Su Magestad Británica en Europa, y los Territorios de Colombia, una reciproca libertad de Comercio. Los Ciudadanos y Súbditos de los dos Países respectivamente, tendrán libertad para ir libre y seguramente, con sus Buques y Cargamentos, á todos aquellos Parages, Puertos, y Rios, en los Terri-



aforesaid, to which other Foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said Territories, respectively; also to hire and occupy houses and warehouses for the purposes of their Commerce; and, generally, the Merchants and Traders of each Nation, respectively, shall enjoy the most complete protection and security for their commerce; subject always to the Laws and Statutes of the two Countries, respectively.

III. His Majesty The King of the United Kingdom of Great Britain and Ireland engages further, that the Citizens of Colombia shall have the like liberty of Commerce and Navigation stipulated for in the preceding Article, in all His Dominions situated out of Europe, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other Nation.

IV. No higher or other duties shall be imposed on the importation into the Territories of His Britannick Majesty, of any articles of the growth, produce, or manufacture of Colombia,—and no higher or other duties shall be imposed on the importation into the Territories of Colombia, of any articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any other or higher duties or

torios antedichos, á los cuales se permite, o se permitiere ir á otros Estrangeros, entrar en los mismos, y permanecer, y residir en cualquiera parte de los dichos Territorios, respectivamente; tambien para alquilar y ocupar casas y almacenes para los obgetos de su Comercio; y, generalmente, los Comerciantes y Traficantes de cada Nacion, respectivamente, gozarán la mas completa proteccion y seguridad para su Comercio, estando siempre sugetos á las Leyes y Estatutos de los dos Países, respectivamente.

III. Su Magestad El Rey del Reyno Unido de la Gran Bretaña e Yrlanda, se obliga ademas, á que los Ciudadanos de Colombia tengan la misma libertad de Comercio y Navegacion que se ha estipulado en el Artículo anterior, en todos Sus Dominios situados fuera de Europa, en toda la estension en que se permite ahora, ó se permitiere despues, á cualquiera otra Nacion.

IV. No se impondrán otros ó mas altos derechos á la importacion en los Territorios de Colombia de cualesquiera articulos del producto natural, producciones, ó manufacturas de los Dominios de Su Magestad Británica, ni se impondrán otros ó mas altos derechos á la importacion en los Territorios de Su Magestad Británica, de cualesquiera articulos del producto natural, producciones ó manufacturas de Colombia, que los que se pagan, ó pagaren, por semejantes articulos, cuando sean producto natural, producciones, ó manufacturas de cualquier otro

charges be imposed, in the Territories or Dominions of either of the Contracting Parties, on the exportation of any articles to the Territories or Dominions of the other, than such as are or may be payable on the exportation of the like articles to any other Foreign Country: nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of His Britannick Majesty's Dominions, or of the said Territories of Colombia, to or from the said Dominions of His Britannick Majesty, or to or from the said Territories of Colombia, which shall not equally extend to all other Nations.

V. No higher or other duties or charges on account of Tonnage, Light, or Harbour Dues, Pilotage, Salvage in case of damage or shipwreck, or any other local charges, shall be imposed, in any of the Ports of Colombia, on British Vessels, than those payable, in the same Ports, by Colombian Vessels; nor, in the Ports of His Britannick Majesty's Territories, on Colombian Vessels, than shall be payable, in the same Ports, on British Vessels.

VI. The same duties shall be paid on the importation into the Territories of Colombia, of any article the growth, produce, or manufacture of His Britannick

Pais Estrangero; ni se impondrán otros ó mas altos derechos ó impuestos, en los Territorios ó Dominios de cualquiera de las Partes Contratantes, á la esportacion de cualesquier articulos para los Territorios ó Dominios de la otra, que los que se pagan, ó pagaren, por la esportacion de iguales articulos para cualquier otro Pais Estrangero. Ni se impondrá prohibicion alguna á la esportacion ó importacion de cualesquier articulos del producto natural, producciones, ó manufacturas de los Territorios y Dominios de Colombia, ó de Su Magestad Británica, para los dichos, ó de los dichos Territorios de Colombia, ó para los dichos, ó de los dichos Dominios de Su Magestad Británica, que no se extiendan igualmente á todas las otras Naciones.

V. No se impondrán otros ó mas altos derechos ó impuestos por razon de Tonelada, Fanal, ó Emolumentos de Puerto, Practico, Salvamento en caso de averia ó naufragio, ó cualesquier otros gastos locales, en ninguno de los Puertos de los Territorios de Su Magestad Británica, á los Buques Colombianos, que los pagaderos, en los mismos Puertos, por Buques Británicos; ni en los Puertos de Colombia, á los Buques Británicos, que los pagaderos, en los mismos Puertos, por Buques Colombianos.

VI. Se pagarán los mismos derechos á la importacion en los Dominios de Su Magestad Británica, de cualquier articulo del producto natural, producciones,

Majesty's Dominions, whether such importation shall be in Colombian or in British Vessels; and the same duties shall be paid on the importation into the Dominions of His Britannick Majesty, of any article of the growth, produce, or manufacture of Colombia, whether such importation shall be in British or Colombian Vessels. The same duties shall be paid, and the same drawbacks and bounties allowed, on the exportation to Colombia, of any articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions, whether such exportation shall be in Colombian or in British Vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any articles, the growth, produce, or manufacture of Colombia to His Britannick Majesty's Dominions, whether such exportation shall be in British or Colombian Vessels.

VII. In order to avoid any misunderstanding with respect to the regulations which may respectively constitute a British or a Colombian Vessel, it is hereby agreed, that all Vessels built in the Dominions of His Britannick Majesty, and owned by British Subjects, or by any of them, and whereof the Master and three-fourths of the Mariners, at least, are British Subjects, excepting where the Laws provide for any extreme

ó manufacturas de Colombia, ya sea que esta importacion se haga en Buques Británicos, ó en Colombianos; y se pagarán los mismos derechos á la importacion en los Territorios de Colombia de cualquier articulo del producto natural, producciones, ó manufacturas de los Dominios de Su Magestad Británica, ya sea que esta importacion se haga en Buques Colombianos, ó en Británicos. Se pagarán los mismos derechos, y se concederán los mismos descuentos y gratificaciones, á la esportacion de cualesquier articulos del producto natural, producciones, ó manufacturas de Colombia para los Dominios de Su Magestad Británica, ya sea que esta esportacion se haga en Buques Británicos, ó en Colombianos. Y se pagarán los mismos derechos, y se concederán los mismos descuentos y gratificaciones, á la esportacion para Colombia de cualesquier articulos del producto natural, producciones, ó manufacturas de los Dominios de Su Magestad Británica, ya sea que esta esportacion se haga en Buques Colombianos, ó en Británicos.

VII. Para evitar cualquiera mala inteligencia con respecto á las reglas que pueden respectivamente constituir un Buque Colombiano ó Británico, se ha convenido aqui que todo Buque construido en los Territorios de Colombia, y poseido por sus Ciudadanos, ó por alguno de ellos, y cuyo Capitan y tres cuartas partes de los marineros, á lo menos sean Ciudadanos Colombianos, escepto en los casos en que las Leyes provean

cases, shall be considered as British Vessels; and that all Vessels built in the Territories of Colombia, and owned by the Citizens thereof, or any of them, and whereof the Master and three-fourths of the Mariners, at least, are Colombian Citizens, excepting where the laws provide for any extreme cases, shall be considered as Colombian Vessels.

VIII. All Merchants, Commanders of Ships, and others, the Subjects of His Britannick Majesty, or Citizens of the State of Colombia, shall have full liberty, in all the Territories of both Powers, respectively, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as Broker, Factor, Agent, or Interpreter; nor shall they be obliged to employ any other Persons for those purposes, nor to pay them any salary or remuneration, unless they shall choose to employ them; and absolute freedom shall be allowed, in all cases, to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandize imported into, or exported from, the Territories of either of the Contracting Parties, as they shall see good.

IX. In whatever relates to the lading and unlading of Ships, the safety of merchandize, goods, and effects, the succession to personal estates, and the disposal of personal property of every sort and

otra cosa por circunstancias estre-  
mas, será considerado como Buque Colombiano; y todo Buque construido en los Dominios de Su Magestad Británica, y poseido por Súbditos Británicos, ó por alguno de ellos, y cuyo Capitan y tres cuartas partes de los marineros, á lo menos, sean Súbditos Británicos, escepto en los casos en que las leyes provean otra cosa por circunstancias estre-  
mas, será considerado como Buque Británico.

VIII. Todos los Comerciantes, Comandantes de Buques, y otros, Ciudadanos y Súbditos de la República de Colombia, y de Su Magestad Británica, tendrán entera libertad, en todos los Territorios de ambas Potencias respectivamente, para manejar por si mismos sus propios negocios, ó confiarlos al manejo de quien gusten, como Corredor, Factor, Ajente, ó Interprete; ni serán obligados á emplear otras personas cualesquiera para aquellos obgetos, ni á pagarles salario alguno, ó remuneracion, á menos que ellos quieran emplearlos; y se concederá absoluta libertad, en todo caso, al comprador y vendedor, para contratar y fijar el precio de cualesquier efectos, mercaderias, ó generos importados ó esportados de los Territorios de cualesquiera de las dos Partes Contratantes, segun lo tengan á bien.

IX. En todo lo relativo á la carga y descarga de Buques, seguridad de las mercaderias, generos, y efectos, la sucesion de bienes muebles, y la disposicion de propiedad mueble, de toda



denomination, by sale, donation, exchange, or testament, or in any other manner whatsoever, as also the administration of justice, the Subjects and Citizens of the two Contracting Parties shall enjoy, in their respective Dominions and Territories, the same privileges, liberties, and rights, as the most favoured Nation, and shall not be charged, in any of these respects, with any higher imposts or duties than those which are paid, or may be paid, by the Native Subjects or Citizens of the Power in whose Dominions or Territories they may be resident.

They shall be exempted from all compulsory military Service whatsoever, whether by Sea or Land, and from all forced loans, or military exactions and requisitions, neither shall they be compelled to pay any ordinary taxes, under any pretext whatsoever, greater than those that are paid by the Subjects or Citizens of one or other Power.

X. It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of Trade, to reside in the Dominions and Territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls, such particular Places as either of them may judge fit to be so excepted.

XI. For the better security of Commerce between the Subjects

especie y denominacion, por venta, donacion, cambio, ó testamento, ó de otra manera cualquiera, como tambien á la administracion de justicia, los Ciudadanos y Súbditos de las dos Partes Contratantes gozarán, en sus respectivos Territorios y Dominios, los mismos privilegios, libertades, y derechos, que la Nacion mas favorecida, y no se les impondrán, por ninguno de estos respectos, impuestos, ó derechos algunos mas altos que los que pagan, ó pagaren, los Ciudadanos ó Súbditos de la Potencia en cuyos Territorios ó Dominios residan.

Estarán esentos de todo servicio militar forzado, de mar ó de tierra, y de todo prestamo forzoso, ó exacciones ó requisiciones militares, ni serán compelidos á pagar contribucion alguna ordinaria, mayor que las que paguen los Ciudadanos ó Súbditos de una ó otra Potencia, bajo ningun pretesto cualquiera.

X. Sera libre á cada una de las dos Partes Contratantes el nombrar Cónsules para la proteccion del Comercio, que residan en los Territorios y Dominios de la otra Parte; pero antes que cualquier Cónsul obre como tal, será aprobado y admitido, en la forma acostumbrada, por el Gobierno al cual fuere enviado; y cualquiera de las Partes Contratantes puede exceptuar de la residencia de Cónsules, aquellos lugares particulares, que cualquiera de ellas juzgue conveniente exceptuar.

XI. Para la mejor seguridad del comercio entre los Ciudada-

of His Britannick Majesty, and the Citizens of Colombia, it is agreed, that if, at any time, any interruption of friendly commercial intercourse, or any rupture should unfortunately take place between the two Contracting Parties, the Subjects or Citizens of either of the two Contracting Parties residing in the Dominions of the other, shall have the privilege of remaining and continuing their trade therein, without any manner of interruption, so long as they behave peaceably, and commit no offence against the laws; and their effects and property, whether entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other demands than those which may be made upon the like effects or property, belonging to the native Inhabitants of the State in which such Subjects or Citizens may reside.

XII. The Subjects of His Britannick Majesty residing in the Territories of the State of Colombia, shall enjoy the most perfect and entire security of conscience, without being annoyed, prevented, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion, provided that this take place in private houses, with the decorum due to Divine Worship, and with due respect to the laws, usages, and customs of the Country. Liberty shall also be granted to bury the Subjects of His Britannick Majesty, who may die in the said Territories of Co-

nos de Colombia, y los Súbditos de Su Magestad Británica, se ha convenido, que si, en algun tiempo, desgraciadamente sucediere alguna interrupcion de la correspondencia comercial amistosa, ó algun rompimiento entre las dos Partes Contratantes, los Ciudadanos ó Subditos de qualquiera de las dos Partes Contratantes residentes en los Dominios de la otra, tendrán el privilegio de permanecer, y continuar su trafico, alli, sin ninguna especie de interrupcion, mientras se conduzcan pacíficamente, y no cometan ofensa contra las leyes; y sus efectos y propiedades, ya esten confiadas á individuos particulares, ó al Estado, no estarán sugetas á ocupacion ó secuestro, ni á ningunas otras demandas, que las que puedan hacerse de iguales efectos ó propiedades pertenecientes á Ciudadanos ó Súbditos de la Potencia en que residan.

XII. Los Ciudadanos de Colombia gozarán, en todos los Dominios de Su Magestad Británica, una perfecta e ilimitada libertad de conciencia, y la de ejercitar su religion pública, ó privadamente, dentro de sus casas particulares, ó en las capillas, ó lugares del culto destinados para aquel obgeto conforme al sistema de tolerancia establecido en los Dominios de Su Magestad Británica. Asimismo los Súbditos de Su Magestad Británica, residentes en los Territorios de Colombia, gozarán la mas perfecta y entera seguridad de conciencia, sin quedar por ello espuestos á ser molestados, inquietados, ni perturbados en razon de su creencia religiosa, ni en los

Colombia, in convenient and adequate places, to be appointed and established by themselves for that purpose, with the knowledge of the local Authorities. Nor shall the funerals or sepulchres of the dead be disturbed in any wise nor upon any account. In the like manner, the Citizens of Colombia shall enjoy, within all the Dominions of His Britannick Majesty, a perfect and unrestrained liberty of conscience, and of exercising their religion publicly or privately, within their own dwelling houses, or in the chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the Dominions of His said Majesty.

XIII. The Government of Colombia engages to co-operate with His Britannick Majesty for the total Abolition of the Slave Trade, and to prohibit all Persons inhabiting within the Territories of Colombia, in the most effectual manner, from taking any share in such Trade.

XIV. And for as much as it would be convenient and useful, for the purpose of facilitating the mutual good understanding between the two Contracting Parties, and for avoiding all difficulties henceforward, that other Articles should be proposed and added to the present Treaty, which Articles, both from a want of due time for their consideration, as well as from the pressure of circumstances, cannot at present be drawn up with the required perfection, it has been and is agreed, on the part of both

ejercicios propios de su religion, con tal que lo hagan en casas privadas y con el decoro debido al culto divino, respetando las leyes, uses, y costumbres establecidas. Tambien tendrán libertad para enterrar los Súbditos de Su Magestad Británica, que mueran en los dichos Territorios de Colombia, en lugares convenientes y adecuados, que ellos mismos designen y establezcan, con acuerdo de las Autoridades Locales para aquel objeto; y los funerales ó sepulcros de los muertos no serán trastornados de modo alguno, ni por ningun motivo.

XIII. El Gobierno de Colombia se compromete á co-operar con Su Magestad Británica para la total abolicion del Trafico de Esclavos, y para prohibir a todas las personas habitantes en el Territorio de Colombia, del modo mas eficaz, el que tomen parte alguna en semejante Trafico.

XIV. Y por cuanto seria conveniente y util, para facilitar mas la mutua buena correspondencia entre las dos Partes Contratantes, y evitar en adelante toda suerte de dificultades, que se propongan y adicione al presente Tratado otros Articulos, que, por falta de tiempo y la premura de las circunstancias, no pueden ahora redactarse con la perfeccion debida; se ha convenido y conviene, por parte de ambas Potencias, que se prestarán, sin la menor dilacion posible, á tratar y convenir sobre

Powers, that they will, with the least possible delay, come forward to treat and agree upon such Articles as may be wanting to this Treaty, and deemed mutually beneficial; and which Articles, when they shall be agreed upon, and shall be duly ratified, shall form part of the present Treaty of Amity, Commerce, and Navigation.

XV. The present Treaty shall be ratified by His Majesty The King of the United Kingdom of Great Britain and Ireland, and by the President or Vice President charged with the Executive Power of the State of Colombia, with the consent and approbation of the Congress of the said State; and the Ratifications shall be exchanged at London within the space of six months, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done in the City of Bogotá, the 18th day of April, in the year of Our Lord 1825.

JOHN POTTER HAMILTON.  
PATRICK CAMPBELL.

los Artículos que faltan á este Tratado, y se juzguen mutuamente ventajosos; y dichos Artículos, cuando se convengan, y sean debidamente ratificados, formarán parte del presente Tratado de Amistad, Comercio, y Navegacion.

XV. El presente Tratado de Amistad, Comercio, y Navegacion, será ratificado por el Presidente ó Vice Presidente, encargado del Poder Ejecutivo de la República de Colombia, con consentimiento y aprobacion del Congreso de la misma, y por Su Magestad El Rey del Reyno Unido de la Gran Bretaña e Yrlanda; y las Ratificaciones serán cangeadas en Londres en el termino de seis meses, contados desde este dia, o antes si fuese posible.

En testimonio de lo cual, los respectivos Plenipotenciarios han firmado las presentes, y puesto sus Sellos respectivos.

Dadas en la Ciudad de Bogotá, el dia 18 del mes de Abril, del año del Señor 1825.

PEDRO GUAL.  
PEDRO BRICENO MENDEZ.

#### ADDITIONAL ARTICLE.

Whereas, in the present state of Colombian Shipping, it would not be possible for Colombia to take advantage of the reciprocity established by Articles V. VI. and VII. of the Treaty signed this day, if that part should be carried into immediate effect, which stipulates that in order to be considered as a Colombian Ship, a Ship shall

#### ARTICULO ADICIONAL.

Por cuanto, en el presente estado de la Marina Colombiana, no sería posible que Colombia se aprovechara de la reciprocidad establecida por los Artículos quinto, sexto y septimo del Tratado firmado hoy, si aquella parte que estipula que para ser considerado como Buque Colombiano, el Buque debe haber sido realmente construido



actually have been built in Colombia,—it is agreed that, for the space of seven years, to be reckoned from the date of the ratification of this Treaty, any Ships, wheresoever built, being *bonâ fide* the property of any of the Citizens of Colombia, and whereof the Master and three-fourths of the Mariners, at least, are also Colombian Citizens, excepting where the laws provide for any extreme cases, shall be considered as Colombian Ships: His Majesty The King of the United Kingdom of Great Britain and Ireland reserving to Himself the Right, at the end of the said term of seven years, to claim the principle of reciprocal restriction stipulated for in the 7th Article above referred to, if the interests of British Navigation shall be found to be prejudiced by the present exception to that reciprocity, in favour of Colombian Shipping.

The present Additional Article shall have the same force and validity as if it were inserted, word for word, in the Treaty signed this day. It shall be ratified and the ratifications shall be exchanged at the same time.

In Witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done in the City of Bogotá, the 18th of April, in the year of Our Lord 1825.

JOHN POTTER HAMILTON.  
PATRICK CAMPBELL.

en Colombia, se pone inmediatamente en ejecucion, se ha convenido en que por el espacio de siete años, que se han de contar desde la fecha de la ratificacion de este Tratado, todo Buque, de cualquiera construccion, que sea *bonâ fide* propiedad de alguno ó algunos de los Ciudadanos de Colombia, y cuyo Capitan y tres cuartas partes de los marineros, á lo menos, sean tambien Ciudadanos Colombianos, escepto en los casos en que las leyes provean otra cosa por circunstancias extremas, será considerado como Buque Colombiano: reservandose Su Magestad El Rey del Reyno Unido de la Gran Britaña e Yrlanda el derecho, al fin de dicho termino de siete años, de reclamar el principio de restriccion reciproca estipulado en el Artículo VII antes referido, si los intereses de la Navegacion Británica resultaren perjudicados por la presente escepcion de aquella reciprocidad, en favor de los Buques Colombianos.

El presente Artículo Adicional tendrá la misma fuerza y validez, que si se hubiera insertado, palabra por palabra, en el Tratado firmado hoy; será ratificado, y las ratificaciones serán cangeadas en el mismo tiempo.

En fé de lo cual, los respectivos Plenipotenciarios lo han firmado, y puesto sus Sellos respectivos.

Dado en la Ciudad de Bogotá, el día 18 del mes de Abril, del año del Señor 1825.

PEDRO GUAL.  
PEDRO BRICENO MENDEZ.

***DECLARATION by His Britannick Majesty's Principal Secretary of State for Foreign Affairs, on the exchange of the Ratifications of the preceding Treaty.***

THE Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, at the moment of exchanging with Senor Manuel Jose Hurtado, Plenipotentiary of the State of Colombia, the Ratifications of the Treaty of Amity, Commerce, and Navigation, signed at Bogotá, on the 18th of April 1825, by John Potter Hamilton, Esquire, and Patrick Campbell, Esquire, on the part of His Majesty, and Senor Pedro Gual, and General Pedro Briceño Mendez, on the part of the State of Colombia, has been commanded by His Majesty, in order to avoid any misunderstanding which might possibly arise in the execution of that part of the VII Article of the said Treaty, wherein it is defined what Ships shall be considered as entitled to the privileges of British and Colombian Ships, to declare to Senhor Hurtado, that in addition to the qualifications therein expressed, such other Ships will likewise be entitled to be considered as British Ships, which shall have been captured from an Enemy by His Majesty's Ships of War, or by Subjects of His Majesty furnished with Letters of Marque by the Lords Commissioners of the Admiralty, and regularly condemned in one of His Majesty Prize Courts as a lawful Prize, or which shall have been condemned in any competent Court, for the breach of the Laws made for the prevention of the Slave Trade;—and that, in the same manner, Ships captured from the Enemy by the Ships of Colombia, and condemned under similar circumstances, will likewise be entitled to be considered as Colombian Ships.

*London, November 7th 1825.*

GEORGE CANNING.

*Senor Manuel Jose Hurtado.*

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***ACT of ACCEPTANCE of the above Declaration, by the Colombian Plenipotentiary.***

(TRANSLATION.)

THE Undersigned, Plenipotentiary of the State of Colombia, having received from His Britannick Majesty's Principal Secretary of State for Foreign Affairs, a Declaration stating, "That, in order to avoid any misunderstanding which might possibly arise in the execution of that part of the 7th Article of the Treaty between His

EL Infraescrito, Plenipotenciario de la República de Colombia, habiendo recibido de S. E. el Secretario Principal de Estado en el Departamento de Negocios Estrangeros, una Declaracion en que se expresa, "Que á fin de evitar cualquiera mala inteligencia que pudiese ocurrir en la execucion de aquella parte del Arti-

Britannick Majesty and the State of Colombia, signed at Bogotá, on the 18th of April 1825, wherein it is defined what Ships shall be considered as entitled to the privileges of British and Colombian Ships,—in addition to the qualifications therein expressed, such other Ships will likewise be entitled to be considered as British Ships, which shall have been captured from an Enemy by His Britannick Majesty's Ships of War, or by Subjects of His said Majesty furnished with Letters of Marque by the Lords Commissioners of the Admiralty, and regularly condemned in one of His said Majesty's Prize Courts as a lawful Prize, or which shall have been condemned in any competent Court, for the breach of the Laws made for the prevention of the Slave Trade;—and that, in the same manner, Ships captured from the Enemy by the Ships of Colombia, and condemned under similar circumstances, will likewise be entitled to be considered as Colombian Ships :”—

The Undersigned, in virtue of the Full Powers with which he is invested, hereby accepts and adopts the said Declaration, in the name and on the behalf of his Government.

MANUEL JOSE HURTADO.

*London, November 7th 1825.*

*The Right Hon. George Canning.*

culo VII. del Tratado entre Su Magestad Británica, y el República de Columbia, firmado en Bogotá, el 18 de Abril de 1825, en el cual se define qué Buques han de considerarse con derecho á gozar los privilegios de Buques Británicos, y Colombianos fuera de los requisitos expresados allí tendrán asimismo derecho á ser considerados como Buques Británicos, los Buques que hubieren sido apresados á un enemigo por los Buques de guerra de Su Magestad Británica, ó por Subditos de Su dicha Magestad, provistos de Patentes de Corso por los Lores Comisionados del Almirantazgo, y regularmente condenados como de buena presa en uno de los tribunales de presas de Su dicha Magestad, ó que hubieren sido condenados en cualquier tribunal competente por infraccion de las leyes establecidas para impedir el Comercio de Esclavos ;—y que del mismo modo, Buques apresados al enemigo por los Buques de Colombia, y condenados en igualdad de circunstancias, tendrán derecho á ser considerados como Buques Colombianos :”—

El Infraescrito, en virtud de los Plenos Poderes de que se halla revestido, acepta y adopta, por las presentes, dicha Declaracion, en nombre y representacion de su Gobierno.

MANUEL JOSE HURTADO.

*Londres, 7 de Noviembre de 1825.*

*S. E. el Muy Hon. Jorge Canning.*



*TREATY between His Most Faithful Majesty and His Imperial Majesty, concerning the Recognition of the Empire of Brazil.—Signed at Rio de Janeiro, August 29, 1825.*

[TRANSLATION.]

*Em Nome da Santissima e Indivisivel Trindade.*

SUA Magestade Fidelissima tendo constantemente no Seu Real Animo os mais vivos desejos de restabelecer a Paz, Amizade, e boa harmonia entre Povos Irmãos que os vinculos mais sagrados devem conciliar, e unir em perpetua alliança; para conseguir tão importantes fins, promover a prosperidade geral, e segurar a existencia politica, e os destinos futuros de Portugal, assim como os do Brasil; e querendo de humavez remover todos os obstaculos, que possam impedir a dita Alliança, Concordia, e Felicidade de hum e outro Estado, por Seu Diploma de treze de Maio do corrente anno, reconheceo o Brasil na Cathegoria de Imperio Independente, e separado dos Reinos de Portugal e Algarves, e a Seu sobre Todos muito Amado e Prezado Filho Dom Pedro por Imperador, cedendo e transferindo de Sua livre Vontade a Soberania do dito Imperio ao Mesmo Seu Filho, e Seus Legitimos Successores, e tomando sómente, e reservando para a Sua Pessoa o mesmo Titulo.

E Estes Augustos Senhores, acceitando a Mediação de Sua Magestade Britannica para o ajuste de toda a questão incidente á se-

*In the Name of the Most Holy and Undivided Trinity.*

His Most Faithful Majesty having constantly cherished in His Royal Mind the most lively desire to re-establish Peace, Friendship and good Harmony between Sister Nations, whom the most sacred ties ought to conciliate and unite in perpetual Alliance,—in order to accomplish these important ends, as well as to promote general prosperity, and to secure the political existence and the future destinies of Portugal, in common with those of Brazil, and being desirous at once to remove every obstacle that might impede the said Alliance, Concord, and Happiness of both States,—by His Diploma of the 13th May of the current year, recognized Brazil as an Independent Empire, and as separate from the Kingdoms of Portugal and Algarve, and likewise His most beloved and valued Son Dom Pedro as Emperor, ceding and transferring, of his own free will, the Sovereignty of the aforesaid Empire to his aforesaid Son and his Legitimate Successors, and only taking and reserving, for His own Person, the same title.

And these August Sovereigns accepting the Mediation of His Britannick Majesty for the adjustment of all preliminary ques-



paração dos dous Estados, tem nomeado Plenipotenciarios, a saber ;

Sua Magestade Fidelissima ao Illustrissimo e Excellentissimo Cavalheiro Sir Carlos Stuart, Conselheiro Privado de Sua Magestade Britannica, Grão Cruz da Ordem da Torre e Espada, e da Ordem do Banho.

Sua Magestade Imperial ao Illustrissimo e Excellentissimo Luiz José de Carvalho e Mello, do Conselho de Estado, Dignitario da Imperial Ordem do Cruzeiro, Comendador das Ordens de Christo, e da Conceição, e Ministro e Secretario de Estado dos Negocios Estrangeiros ; ao Illustrissimo e Excellentissimo Barão de Santo Amaro, Grande do Imperio, do Conselho de Estado, Gentil-Homem da Imperial Camara, Dignitario da Imperial Ordem do Cruzeiro, e Comendador das Ordens de Christo, e da Torre e Espada ; e ao Illustrissimo e Excellentissimo Francisco Vilella Barbosa, do Conselho de Estado, Grão Cruz da Imperial Ordem do Cruzeiro, Cavalheiro da Ordem de Christo, Coronel do Imperial Corpo de Engenheiros Ministro de Secretario de Estado dos Negocios Marinha, e Inspector Geral da Marinha :

E vistos e trocados os Seos Plenos Poderes, convierão em que, na conformidade dos principios expressados neste Preambulo se formasse o presente Tratado.

I. Sua Magestade Fidelissima reconhece o Brasil na Cathégoria

tions regarding the separation of the two States, have named Plenipotentiaries, that is to say :

His Most Faithful Majesty names His Excellency the Right Honourable Sir Charles Stuart, Privy Councillor of His Britannick Majesty, Grand Cross of the Order of the Tower and Sword, and of the Order of the Bath.

His Imperial Majesty names the Most Illustrious and Most Excellent Luis José de Carvalho e Mello, of the Council of State, Dignitary of the Imperial Order of the Cross, Commander of the Orders of Christ, and of the Conception, and Minister and Secretary of State for Foreign Affairs ; the Most Illustrious and Most Excellent Baron de Santo Amaro, Grandee of the Empire, of the Council of State, Gentleman of the Imperial Chamber, Dignitary of the Imperial Order of the Cross, and Commander of the Orders of Christ, and of the Tower and Sword ;—and the Most Illustrious and Most Excellent Francisco Vilella Barbosa, of the Council of State, Grand Cross of the Imperial Order of the Cross, Knight of the Order of Christ, Colonel of the Imperial Corps of Engineers, Minister and Secretary of State for the Naval Department, and Inspector General of the Navy :

And their Full Powers having been examined and exchanged, they have agreed in conformity, with the principles laid down in this Preamble, to the formation of the present Treaty.

I. His Most Faithful Majesty, recognizes Brazil as an Empire,

de Imperio Independente, e Separado dos Reinos de Portugal e Algarves; e a Seo sobre Todos muito Amado, e Prezado Filho Dom Pedro por Imperador, cedendo, e transferindo de Sua livre vontade a Soberania do dito Imperio ao Mesmo Seo Filho, e a seus Legitimos Successores. Sua Magestade Fidelissima toma somente, e reserva para a Sua Pessoa o mesmo Titulo.

II. Sua Magestade Imperial, em reconhecimento de respeito e amor a Seo Augusto Pai o Senhor Dom João VI. annue a que Sua Magestade Fidelissima tome para a Sua Pessoa o Titulo de Imperador.

III. Sua Magestade Imperial promette não acceitar proposições de quaesquer Colonias Portuguezas para se reunirem ao Imperio do Brasil.

IV. Haverá d'ora em diante Paz e Alliança, e a mais perfeita Amizade entre os Reinos de Portugal e Algarves e o Imperio do Brasil, com total esquecimento das desavenças passadas entre os Povos respectivos.

V. Os Subditos de ambas as Nações, Portugueza e Brasileira serão considerados e tratados, nos respectivos Estados, como os da Nação mais favorecida e amiga, e seus direitos, e propriedades religiosamente guardados, e protegidos; ficando entendido que os actuaes possuidores de bens de raiz serão mantidos na posse pacífica dos mesmos bens.

VI. Toda a propriedade de

independent and separate from the Kingdoms of Portugal and Algarve, and His most beloved and esteemed Son Dom Pedro as Emperor; ceding and transferring, of his own free will, the Sovereignty of the said Empire to His said Son, and to His legitimate Successors; His Most Faithful Majesty only taking and reserving the same Title for His own Person.

II. His Imperial Majesty, in acknowledgment of respect and affection for his August Father and Lord Dom John VI., agrees that His Most Faithful Majesty shall, in His own Person, assume the title of Emperor.

III. His Imperial Majesty promises not to accept the proposals of any Portuguese Colonies whatever, to unite themselves with the Empire of Brazil.

IV. Henceforth there shall be Peace and Alliance, and the most perfect Friendship, between the Kingdoms of Portugal and Algarve, and the Empire of Brazil, with perfect oblivion of the past dissensions between the respective Nations.

V. The Subjects of both the Portuguese and Brazilian Nations, shall be considered and treated, in the respective States, as those of the most favoured and friendly Nation, and their Rights and Property shall be religiously guarded and protected; it being understood that the Owners of landed Property shall continue in the peaceable possession of such property.

VI. All property whether real

bens de raiz, ou moveis, e acções, sequestradas ou confiscadas, pertencentes aos Subditos de Ambos os Soberanos do Portugal e Brasil, serão logo restituídas, assim como os seus rendimentos passados, deduzidas as despesas da Administração, ou seus proprietários indemnizados reciprocamente, pela maneira declarada no Artigo 8.

VII. Todas as Emburcações, e cargas apresadas, pertencentes aos Subditos de Ambos os Soberanos, serão semelhantemente restituídas, ou seus proprietários indemnizados.

VIII. Huma Comissão nomeada por ambos os Governos, composta de Portuguezes e Brasileiros em numero igual, e estabelecida onde os respectivos Governos julgarem por mais conveniente, será encarregada de examinar a materia dos Artigos VI e VII; entendendose que as reclamações deverão ser feitas dentro do prazo de hum anno, depois de formada a Comissão, e que, no caso de empate nos votos, será decidida a questão pelo Representante do Soberano Mediador. Ambos os Governos indicarão os fundos por onde se hão de pagar as primeiras reclamações liquidadas.

IX. Todas as reclamações publicas de Governo a Governo serão reciprocamente recebidas e decididas, ou com a restituição dos objectos reclamados, ou com huma indemnisação do seu justo valor. Para o ajuste destas reclamações,

or personal, and all interest in property, either sequestrated or confiscated, belonging to the Subjects of the Sovereigns of Portugal and Brazil, shall be immediately restored, as well as the profits already made thereon, after deducting the expenses of Administration; or their Proprietors shall be reciprocally indemnified, in the manner set forth in the 8th Article.

VII. All Vessels and Cargoes captured, belonging to the Subjects of either Sovereign, shall be, in like manner, restored, or their Proprietors indemnified.

VIII. A Commission named by both Governments, composed of an equal number of Portuguese and Brazilians, and established wherever the respective Governments shall think most convenient, shall be charged to examine into the matters provided for in the VIth and VIIth Articles: it being understood that those Claims ought to be preferred within the space of a year after the Commission is formed, and that, in the case of an equality of votes, the question shall be decided by the Representative of the Sovereign Mediator. Both Governments shall designate the funds from which the first liquidated Claims are to be paid.

IX. All the public Claims of the one Government upon the other shall be reciprocally received and decided, either by the restitution of the objects claimed, or by an indemnification for their just value. For the adjustment of

**Ambas as Altas Partes Contratantes** convierão em fazer huma **Convenção** directa e especial.

X. Serão restabelecidas desde logo as relações de Commercio entre ambas as Nações, Portuguesa e Brasileira, pagando reciprocamente todas as mercadorias quinze por cento de direitos de consummo provisoriamente, ficando os direitos de baldeação e reexportação da mesma forma, que se praticava antes da separação.

XI. A reciproca troca das Ratificações do presente Tratado se fará na Cidade de Lisboa, dentro do espaço de 5 mezes, ou mais breve, se for posivel, contados do dia da assignatura do presente Tratado.

Em testemunho do que Nós abaixo assignados Plenipotenciarios de Sua Magestade Fidelissima, e de Sua Magestade Imperial, em virtude dos nossos respectivos Plenos Poderes, assignámos o presente Tratado com os nossos punhos, e lhe fizemos pôr os Sellos das nossas Armas.

Feito na Cidade do Rio de Janeiro aos 29 dias do mez de Agosto, do Anno do nascimento de Nosso Senhor Jesu-Christo de 1825.

**CHARLES STUART.**

**LUIZ JOSE DE CARVALHO E MELLO.**  
**BARAO DE SANTO AMARO.**  
**FRANCISCO VILELLA BARBOSA.**

these Claims, both the High Contracting Parties agree to conclude a direct and special Convention.

X. The relations of Commerce between the Portuguese and Brazilian Nations shall be immediately re-established, all the merchandize, reciprocally, paying a provisional duty, on consumption of 15 per Cent.: the duties of transshipment and re-exportation, remaining on the same scale as before the separation.

XI. The reciprocal exchange of the Ratifications of the present Treaty shall take place in the City of Lisbon, within the space of 5 months, or sooner if possible, reckoning from the day of the signature of the present Treaty.

In witness whereof, We the undersigned, Plenipotentiaries of His Most Faithful Majesty, and of His Imperial Majesty, in virtue of our respective Full Powers, sign the present Treaty with our hands, and affix to it the Seals of our Arms.

Done in the City of Rio de Janeiro, on the 29th day of the month of August, in the year of our Lord Jesus Christ, 1825.

**CHARLES STUART.**

**LUIZ JOSE DE CARVALHO E MELLO.**  
**BARON DE SANTO AMARO.**  
**FRANCISCO VILELLA BARBOSA.**





**LETTER from the Secretary of the Treasury, transmitting Statements of the Commerce and Navigation of The United States, during the Year ending on the 30th September, 1824.**

SIR, *Treasury Department, February 16, 1825.*

IN conformity with the Provisions of the Act of the 10th February, 1820, entitled "An Act to provide for obtaining accurate Statements of the Foreign Commerce of The United States," I have the honour to transmit, herewith, the following Statements of the Commerce and Navigation of The United States, during the Year ending on the 30th day of September, 1824 : viz.

	Page
1st. (A) A General Statement of the quantity and value of Merchandise imported into The United States, from the 1st October, 1823, to 30th June, 1824.	
1st. (B) A General Statement of the quantity and value of Merchandise imported into The United States, from 1st July to 30th September, 1824.	
2d. A Summary Statement of the same - - - - -	680
3d. A General Statement of the quantity and value of Domestic Articles exported.	
4th. A General Statement of the quantity and value of Foreign Articles exported.	
5th. Summary Statement of the value of Domestic Articles exported -	682
6th. Do. do. of Foreign Articles exported -	683
7th. A General Statement of the amount of American and Foreign Tonnage employed in the Foreign Trade of The United States -	684
8th. A General Statistical view of the Commerce and Navigation of The United States - - - - -	686
9th. A Statement of the Commerce and Navigation of each State and Territory.	

From these Statements, it appears—

That the Imports during the year ending on the 30th September, 1824, have amounted to 80,549,007 Dollars, of which amount 75,265,054 Dollars were imported in American Vessels, and 5,283,953 Dollars in Foreign Vessels :

That the Exports have, during the same period, amounted to 75,986,657 Dollars, of which, 50,649,500 Dollars were Domestic, and 25,337,157 Dollars were Foreign Articles :

That, of the Domestic Articles, 43,444,619 Dollars were exported in American Vessels, and 7,204,881 Dollars, in Foreign Vessels ; and of the Foreign Articles, 23,967,087 Dollars were exported in American Vessels, and 1,370,070 Dollars in Foreign Vessels :

That 850,033 tons of American Shipping entered, and 919,278 cleared from the Ports of The United States :

And that 102,367 tons of Foreign Shipping entered, and 102,552 cleared from the Ports of The United States, during the said period.

I have the honour to be, &c.

WM. H. CRAWFORD.

*The Hon. the President of the Senate, pro. tem.*

**A SUMMARY STATEMENT of the quantity and value of Goods, Wares and Merchandise, imported into The United States, in American and Foreign Vessels, commencing on the 1st day of October, 1823, and ending on the 30th day of September, 1824.**

SPECIES OF MERCHANDISE.	In American Vessels.	In Foreign Vessels.	Total.
<b>VALUE OF MERCHANDISE FREE OF DUTY:</b>			
Articles specially imported for incorporated philosophical Societies:			
Philosophical Apparatus, Instruments, &c.	589	-	589
Books	307	-	307
Lapis calimmaris teutenegue, spelter of zinc	4,267	7,814	12,081
Burr stones unwrought	26,698	3,362	30,060
Brimstone and sulphur	6,748	177	6,925
Cork tree, bark of	183	-	183
Clay unwrought	766	294	1,060
Furs of all kinds	309,239	11,821	321,060
Felt-patent, to 30th June, 1826	1,701	466	2,167
Hides and skins, raw	2,113,989	28,179	2,142,168
Plaster of Paris	58,964	2,527	61,491
Wood	651,605	62,680	714,285
Animals for breed	2,495	-	2,495
Pewter, old	411	-	411
Tin in pigs and bars	32,620	-	32,620
Brass	71	-	71
Copper, in pigs and bars	354,301	88,149	442,450
in plates suited to the sheathing of Ships for the use of the Mint	6,004	-	6,004
Bullion	1,086	120	1,206
Specie	316,906	14,484	331,390
All other articles	7,449,812	597,66	8,047,578
<b>VALUE OF MERCHANDISE PAYING DUTIES ad valorem;</b>	392,180	14,990	407,170
Manufactures of Wool			
Cloths and cassimeres	4,858,827	186,732	5,045,559
Flannels and baizes	156,101	749	156,850
Blankets	491,373	84,650	576,023
Worsted and stuff	2,134,171	24,509	2,158,680
All other Manufactures of, paying a Duty of 30 per cent.	143,473	800	144,273
Manufactures of Cotton			
Printed and coloured	5,471,240	304,970	5,776,210
White	2,128,764	225,776	2,354,540
Twist, yarn, and thread	129,245	10,824	140,069
Nankeens	188,633	-	188,633
All other manufactures of, paying a Duty of 25 per cent.	47,236	1,555	48,791
Woollen and cotton hose	649,413	55,879	705,292
Silk, from India	813,171	-	813,171
from other Places	6,305,828	86,835	6,392,663
Vestings and plaids	47,918	-	47,918
Flax	2,746,078	1,127,538	3,873,616
Hemp	779,949	298,020	1,077,969
Iron and steel	2,354,958	150,333	2,505,291
Copper	63,440	3,839	67,279
Brass	289,895	17,271	307,166
Tin	9,479	-	9,479
Pewter and lead, except shot	1,211	1,651	2,862
Wood, including cabinet wares	5,954	717	6,671
Leather, including saddles, bridles and harness	32,683	40	32,723
Glass ware	199,889	139,226	339,115
Wares	752,198	147,408	899,606
Gold, silver, &c.	277,200	14,854	292,054
Lace	17,621	4,928	22,549
Plated saddlery, coach and harness furniture	1,463	-	1,463
Marble, and manufactures of marble	30	-	30
Slates and Tiles for building	3,891	-	3,891
Prepared quills	4,768	115	4,883
Black lead pencils	461	1,163	1,624
Paper hangings	4,163	-	4,163
Paper, writing and wrapping	63,923	14,309	78,232
Brushes of all kinds	142	60	202
Oil cloth and oil cloth carpeting of every description	1,566	625	2,191
Hair cloth and hair seating	1,173	-	1,173
Bolting cloths	729	-	729
Hats, caps, and bonnets	566,287	6,088	572,375
Unmanufactured Copper bottoms, and copper in plates, &c. not suited to the sheathing of ships	2,811	-	2,811
Brass in plates and sheets	284	-	284
Tin in sheets and plates	257,297	92,766	350,063
Raw silk	1,254	-	1,254
Raw Wool	338,924	16,110	355,034
Articles not specially enumerated, at 12 1/2 per cent.	100,482	12,155	112,637
15 do.	732,532	27,771	760,303
20 do.	45,581	273	45,854
25 do.	716,048	23,672	739,720
30 do.	127,384	10,481	137,865
All other Articles paying an ad valorem rate of Duty	3,761,106	381,194	4,142,300
<b>Total, Dollars</b>	<b>37,625,847</b>	<b>3,424,986</b>	<b>41,250,833</b>

## STATEMENT—Continued.

SPECIES OF MERCHANDISE.	In American Vessels.		In Foreign Vessels.	
	Quantity.	Value.	Quantity.	Value.
<i>Quantity and Value of Merchandise paying specific duties.</i>				
Carpeting .....sq. yards	192,597	37,834	..	..
Cotton bagging .....do	825,157	14,023	68,618	4,468
Wines .....gallons	2,024,261	1,022,243	77,098	28,655
Spirits, from grain.....do	658,651	246,129	89,878	36,398
other materials ..do	4,767,824	1,833,680	61,421	26,413
Molasses .....do	12,838,636	2,351,682	259,088	61,961
Beer, ale, and porter .....do	44,980	51,572	36,048	26,243
Oils .....do	94,815	52,709	314	209
Teas .....pounds	8,934,487	2,786,252	..	..
Coffee .....do	38,432,732	5,332,748	791,519	104,241
Cocoa .....do	2,754,930	447,405	60,939	19,385
Chocolate .....do	7,530	690	483	147
Sugar, brown and white .....do	93,347,959	5,348,572	1,031,805	57,996
candy and loaf .....do	1,167	163	..	..
other refined .....do	71,076	4,886	..	..
Fruits .....do	5,679,585	307,615	7,180	60
Vinegar .....gallons	1,734	195	..	..
Candles, cheese, soap & tallow lbs.	656,646	48,868	43,380	4,047
Beef and pork .....do	279	19	..	..
Bacon .....do	3,978	280	2,314	142
Butter .....do	20	7	95	10
Saltpetre .....do	49,820	1,824	..	..
Vitriol .....do	59,639	1,700	..	..
Camphor .....do	55,103	4,719	..	..
Salts, Epsom, &c.....do	127,910	1,760	..	..
Spices .....do	4,398,874	644,413	42,121	10,746
Tobacco, manufactured, & Snuff do	7,802	3,487	61	70
Indigo .....do	418,491	690,354	63,122	84,164
Cotton .....do	643,311	101,045	3,184	341
Gunpowder.....do	66,287	12,567	2,746	764
Bristles and glue .....do	195,452	76,293	832	1,704
Paints .....do	4,493,549	207,094	1,360,722	86,006
Lead, pig, bar, &c. and shot.....do	2,218,659	101,285	486,959	24,285
Cordage .....do	773,277	95,098	54,875	9,862
Corks .....do	29,964	4,129	..	..
Copper rods and bolts.....do	18,266	3,114	1,148	235
Fire arms, muskets & rifles ..No	2,138	2,754	9	15
Iron and steel wire .....pounds	733,171	97,084	36,206	4,119
tacks, nails, spikes, anchors, anvils, hammers, &c.....do	1,193,297	150,130	938,561	39,151
in pigs and castings.....cwt	220,123	35,175	17,278	34,196
bars and bolts, rolled.....do	99,712	1,302,029	16,007	144,554
.....hammered.....do	381,126	..	44,840	..
Steel .....do	19,489	212,489	2,465	23,916
Hemp .....do	91,131	465,075	3,715	20,000
Alum .....do	41	109	221	908
Copperas .....do	43,933	4,285	5,521	5,150
Wheat Flour .....do	368	1,269	2	5
Salt .....do	3,948,241	530,314	453,158	83,172
Coal .....bushels	547,411	86,070	217,404	25,471
Wheat .....do	439	92	49	48
Potatoes .....do	10	..	..	..
Paper .....pounds	249,105	75,822	20	5
Books .....do	27,400	9,444	879	235
Glass, apothecaries' vials....groce	196,001	3,633	83,594	3,112
bottles .....do	4,036	35,520	6,142	42,306
window.....100 sq. feet	1,840	..	8,644	..
demijohns .....No	4,547	1,621	6,217	156
Fish, dried .....quintals	961	36,400	183	7,011
pickled .....barrels	5,315	..	700	..
Shoes and boots.....pairs	4,413	3,139	425	288
Cigars.....M.	14,692	133,547	305	1,851
Playing cards .....packs	433	53	3,420	347
Duck and sheetings.....pieces	72,345	682,714	150	1,025
Total value of Merchandise paying specific rates of duty.....	..	25,708,262	..	1,026,139
Do. do. ad valorem .....	..	37,825,847	..	3,424,986
Do. do. free of do .....	..	11,730,944	..	832,829
Total value, Dollars..	..	75,265,053	..	5,283,954

TREASURY DEPARTMENT, Register's Office, Feb. 16, 1824.

JOSEPH NOURSE, Register.

*A Summary Statement of the Value of the Exports of the Growth, Produce, and Manufacture of The United States, during the Year ending on the 30th September 1824.*

THE SEA, -	1,610,990		
Fisheries :			
Dried fish, or cod fisheries -	-	873,685	
Pickled fish, or river fishery, (herring, shad, salmon, mackerel) -	-	263,019	
Whale (common) oil -	168,272		
Spermaceti oil and candles -	306,014	474,286	
THE FOREST, -	4,889,646		1,610,990
Skins and furs -	-	661,455	
Ginseng -	-	229,080	
Product of Wood :			
Lumber (boards, staves, shingles, hewn timber, &c.) -	1,734,586		
Oak bark and other dye -	95,674		
Naval stores (tar, pitch, rosin, & turpentine) -	555,055		
Ashes, pot and pearl -	1,613,796	3,999,111	
AGRICULTURE, -	38,995,198		4,889,646
Product of animals :			
Beef, tallow, hides, live cattle -	707,299		
Butter and cheese -	204,205	911,504	
Pork (pickled) bacon, lard, live hogs -	1,489,051		
Horses and mules -	213,396		
Sheep -	14,938	1,717,385	
Vegetable food :			
Wheat flour and biscuit -	-	5,977,255	
Indian corn and meal -	-	736,340	
Rice -	-	1,882,982	
All other (rye, oats, pulse, potatoes, &c.) -	-	271,907	11,497,373
Tobacco -	-	-	4,855,566
Cotton -	-	-	21,947,401
All other agricultural products:			
Flaxseed -	-	504,327	
Hops -	-	81,810	
Wax -	-	107,451	
Brown sugar -	-	434	
Indigo -	-	836	694,858
MANUFACTURES, -	3,264,421		
Domestic materials:			
Soap and tallow candles -	816,095		
Leather, boots, shoes, saddlery -	814,638		
Hats -	217,648		
Grain, spirits, beer -	154,144		
Wood (including coaches and other carriages) -	513,435		
Cordage -	47,262		
Iron -	142,974		
Various items (snuff and tobacco, lead, linseed oil, spirits of turpentine) -	228,752	2,934,948	
Foreign materials:			
Spirits from molasses -	51,172		
Sugar refined -	7,195		
Chocolate -	2,285		
Gunpowder -	163,165		
Brass and copper -	26,981		
Medicinal drugs -	78,675	329,473	3,264,421
UNCERTAIN, -	1,889,245		
Articles not distinguished in Returns			
Manufactured -	-	1,576,962	
Raw produce -	-	312,283	1,889,245
Total, dollars -	-	-	50,649,500



**A Summary Statement of the Value of the Exports of the Growth, Produce, and Manufacture of Foreign Countries, during the year ending on the 30th Day of September, 1824.**

<i>Value of Merchandise free of Duty.</i>		<i>Value of Merchandise paying specific rates of Duty.</i>	
Copper, brass, and tin, in		Duck and sheeting - - -	497,467
pigs or bars - - -	133,883	Wines - - - - -	328,453
Gold and silver coin - -	7,014,552	Spirits from grain - - -	25,284
Dye woods - - - - -	545,391	Do. other materials - -	210,951
Raw hides - - - - -	339,493	Molasses - - - - -	4,732
Brimstone and sulphur -	2,653	Beer, ale, and porter - -	2,700
Furs undressed - - - -	2,901	Oil, whale and olive, in casks	15,788
Plaster of Paris - - - -	49	Teas - - - - -	562,109
All other free articles - -	76,160	Coffee - - - - -	2,923,079
		Cocoa - - - - -	377,936
<b>Total, dollars</b>	<b>8,115,082</b>	Chocolate - - - - -	92
		Sugar, brown and white - -	998,168
<i>Value of Merchandise paying duties ad valorem, viz.</i>		Do. candy, loaf & lump - -	925
<b>MANUFACTURES OF</b>		Fruits - - - - -	36,813
Woollen piece goods :		Candles, cheese, soap, & tallow	49,245
cloths and cassimeres	402,308	Spices - - - - -	600,171
worsted and stuff goods	111,446	Indigo - - - - -	513,271
blankets and rugs - - -	42,219	Cotton - - - - -	30,311
Cotton piece goods :		Tobacco and snuff - - -	1,987
printed and coloured	1,544,231	Gunpowder - - - - -	5,202
white - - - - -	608,068	Bristles and glue - - -	2,658
nankens - - - - -	321,204	Paints - - - - -	13,910
woollen and cotton hose	79,191	Lead - - - - -	31,078
cotton twist, yarn, and		Cordage - - - - -	30,851
thread - - - - -	8,474	Copper and composition	
linens, bleached and un-		rods and bolts, nails and	
bleached - - - - -	1,563,822	spikes - - - - -	2,381
silk goods - - - - -	1,816,325	Iron and steel wire - - -	786
hempen goods - - - -	68,865	Iron, nails, spikes, anchors,	
brass - - - - -	1,493	and sheet, in bars and	
copper, or of which cop-		bolts, rolled and ham-	
per is the material of chief		mered, pig and castings	93,053
value - - - - -	8,689	Steel - - - - -	14,818
iron and steel other than		Hemp - - - - -	3,759
those paying specific rates		Alum - - - - -	660
of duty - - - - -	274,421	Copperas - - - - -	81
glass ware other than that		Salt - - - - -	17,666
paying a specific rate of		Coal - - - - -	874
duty - - - - -	58,825	Fish, dried and smoked - -	4,761
china ware - - - - -	4,279	Glass - - - - -	2,991
earthen and stone ware	57,758	Boots and shoes - - -	1,925
tin and pewter - - - -	3,807	Cigars - - - - -	41,366
paper, writing and wrap-			
ping - - - - -	45,142	<b>Value of merchandise paying</b>	
gold and silver and pre-		specific rates of Duty	7,498,002
cious stones - - - - -	46,602	Do. do. free of Duty	8,115,082
hats, caps, and bonnets	9,075	Do. do. paying ad va-	
<b>UNMANUFACTURED—</b>		lorem rates of Duty - -	9,724,073
copper subject to a Duty			
of 15 per cent. - - -	1,380	<b>Total value of Foreign pro-</b>	
tin in sheets or plates -	29,395	duce - - - - -	25,337,157
raw wool - - - - -	1,667	Do. of Domestic do.	50,649,500
raw silk - - - - -	1,407		
<b>All other articles paying an</b>		<b>Total value of Domestic and</b>	
<b>ad valorem rate of duty</b>	<b>2,516,980</b>	<b>Foreign produce</b>	<b>Dol. 75,986,657</b>
<b>Total, dollars</b>	<b>9,724,073</b>		

TREASURY DEPARTMENT, Register's Office. Feb. 15th, 1825.

JOSEPH NOURSE, Register of the Treasury.

*A General Statement, exhibiting the quantity of American and Foreign Tonnage employed in the Foreign Trade of the United States, on the 1st day of October 1823, and*

FROM	AMERICAN.	FOREIGN TONNAGE ENTERED INTO THE UNITED STATES.											
		British.	French.	Spanish.	Portuguese.	Italian.	Dutch.	Hanse Towns.	Swedish.	Danish.	Haytian.	Chilian.	Mexican.
Russia - Tons	16,051	-	-	-	-	-	-	313	-	-	-	-	-
Prussia -	14,535	-	-	-	-	-	-	-	2,463	-	-	-	-
Sweden and Norway -	3,634	90	-	-	-	-	-	-	206	-	-	-	-
Swedish West Indies -	452	-	-	-	-	-	-	-	-	-	-	-	-
Denmark -	32,310	322	-	-	-	-	204	-	140	272	-	-	-
Danish West Indies -	207	-	-	-	-	-	-	-	-	-	-	-	-
Danish East Indies -	23,529	-	-	-	-	-	1,087	-	-	-	-	-	-
Holland -	19,710	258	-	-	-	-	1,182	-	-	-	-	-	-
Dutch West Indies and American Colonies -	1,637	-	-	-	-	-	-	-	-	-	-	-	-
Dutch East Indies -	13,794	42,055	-	-	-	-	-	-	297	-	-	-	-
England, Man, and Berwick -	4,615	9,651	-	-	-	-	-	-	-	-	-	-	-
Scotland -	11,738	2,638	-	-	-	-	-	-	-	-	-	-	-
Ireland -	10,902	-	-	-	-	-	-	-	-	-	-	-	-
Gibraltar -	1,270	-	-	-	-	-	-	-	-	-	-	-	-
British East Indies -	93,933	6,501	-	-	-	-	-	-	-	-	-	-	96
British West Indies -	49,725	3,989	-	-	-	-	-	-	-	-	-	-	-
British American Colonies -	990	-	-	-	-	-	-	-	-	-	-	-	-
Other British Colonies -	13,856	-	-	-	-	-	313	7 413	-	-	-	-	-
The Hanse Towns and Ports of Germany -	44,600	-	3,596	-	-	-	-	343	-	-	-	-	-
French European Ports on the Atlantic -	8,079	-	-	-	-	433	-	-	-	-	-	-	-
Do. do. do. Mediterranean -	31,463	-	6,085	-	67	-	-	-	-	-	-	-	-
French West Indies and American Colonies -	371	-	-	-	-	-	-	-	-	-	-	-	-
Bourbon and Mauritius -	-	-	139	-	-	-	-	-	-	-	-	-	-
Other French African Ports -	36,753	-	-	-	-	-	-	-	-	83	-	-	479
Hayti -	4,504	-	-	-	-	-	-	-	-	-	-	-	-
Spanish European Ports on the Atlantic -	4,524	-	-	-	-	-	-	-	-	-	-	-	-
Do. do. do. Mediterranean -	1,106	-	-	249	-	-	-	-	-	-	-	-	-
Teneriffe and the other Canaries -	589	-	-	-	-	-	-	-	-	-	-	-	-
Manilla and Philippine Islands -	7,199	133	-	135	-	-	43	-	-	-	-	543	-
Honduras, Campeachy, and Musquito Shore -	128,840	530	53	3,608	-	-	-	-	-	136	-	-	-
Cuba -	13,224	804	-	354	-	-	-	-	-	-	-	-	-
Other Spanish West Indies -	19,144	-	-	-	-	-	-	-	-	-	-	-	-
Spanish South American Colonies -	11,984	-	-	-	-	-	-	-	-	118	-	250 172	-
Mexico -	434	-	-	-	-	-	-	-	-	-	-	264 189	86
Rio de la Plata -	1,186	-	-	-	-	-	-	-	-	-	-	-	-
Terra Firma -	128	-	-	-	-	-	-	-	-	-	-	-	-
Guatemala -	609	-	-	-	-	-	-	-	-	-	-	-	-
Buenos Ayres -	185	-	-	-	-	-	-	-	-	-	-	-	-
Peru -	3,057	-	-	-	-	-	-	-	-	-	-	-	-
Colombia -	-	-	-	-	-	-	-	-	-	-	-	-	-
Chili -	204	-	-	-	-	-	-	-	-	-	242	-	-
Lima -	25,033	320	-	-	152	-	-	282	-	212	-	-	-
Portugal -	5,049	-	-	-	254	-	-	-	-	-	-	-	-
Madeira -	713	-	-	-	686	-	-	-	-	-	-	-	-
Fayal and the other Azores -	3,097	-	-	-	67	-	303	249	-	-	-	-	-
Cape de Verd Islands -	17,491	-	-	-	-	-	-	-	-	-	-	-	-
Coast of Brazil & other Portuguese American Colonies -	8,018	-	-	-	-	188	-	-	-	-	-	-	-
Italy and Malta -	3,541	-	-	-	-	-	-	-	-	-	-	-	-
Trieste & other Austrian Ports on the Adriatic -	1,775	-	-	-	-	-	-	-	-	-	-	-	-
Turkey, Levant, Egypt, Mocha, and Aden -	-	-	-	-	-	-	-	-	-	-	-	-	-
Morocco and Barbary States -	10,518	-	-	-	-	-	-	-	-	-	-	-	-
China -	2,600	-	-	-	-	-	-	-	-	-	-	-	-
Asia, generally -	1,218	-	-	-	-	-	-	-	-	-	-	-	-
West Indies, do. -	142	-	-	-	-	-	-	-	-	-	-	-	-
Europe, do. -	2,086	-	-	-	-	-	-	-	-	-	-	-	-
Africa, do. -	18,591	-	-	-	-	-	-	-	-	-	-	-	-
South Seas -	-	-	-	-	-	-	-	-	-	-	-	-	-
Northwest Coast of America -	-	-	-	-	-	-	-	-	-	-	-	-	-
Uncertain -	-	-	-	46	-	-	-	-	-	-	-	-	-
<b>Total Tons</b>	<b>850,033</b>	<b>37,351</b>	<b>10,173</b>	<b>4,452</b>	<b>1,226</b>	<b>621</b>	<b>3,132</b>	<b>8,690</b>	<b>3,112</b>	<b>736</b>	<b>33</b>	<b>242</b>	<b>1,057</b>

GRAND TOTAL 102,367 Tons.

*Tonnage employed in the Foreign Trade of The United States, commencing on the 30th day of September 1824.*

TO	AMERICAN.	FOREIGN TONNAGE DEPARTING FROM THE UNITED STATES										
		British.	French.	Spanish.	Portuguese.	Italian.	Dutch.	Hanse Towns.	Swedish.	Danish.	Haytian.	Colombian.
Russia - Tons	2,201											
Prussia -	120											
Sweden and Norway -	2,832								1,560			
Swedish West Indies	8,263	90							250			
Denmark -	2,416								82			
Danish West Indies -	20,458						156			90		80
Danish East Indies -												
Holland -	24,517	263				265	924					
Dutch West Indies and American Colonies -	19,071	357					843					
Dutch East Indies -	3,314											
England, Man, and Berwick -	140,125	42,310										
Scotland -	3,175	5,836										
Ireland -	20,541	1,761										
Gibraltar -	27,285	270							832			
British East Indies -	2,920											
British West Indies -	91,637	7,567										
British American Colonies -	53,951	9,130										
Other British Colonies -	444											
The Hanse Towns and Ports of Germany -	11,052						9,459		302	212		
French European Ports on the Atlantic -	58,615		4,610									
French European Ports on the Mediterranean -	8,457											
French West Indies and American Colonies -	36,882	84	3,737									
Bourbon and Mauritius -	947											
Other French African Ports -												
Hayti -	46,207		324								82	
Spanish European Ports on the Atlantic -	6,084											
Do. do. on the Mediterranean -	756			356								
Teneriffe and the other Canaries -	1,732			130								
Manilla and Philippine Islands -	804											
Honduras, Campeachy, and Musquito Shore -	5,290	298		429								553
Cuba -	124,388	397	150	3,891						407		
Other Spanish West Indies -	5,068			180								
Spanish South American Colonies -	31,523			46								344
Mexico -	16,405			166								189
Rio de la Plata -	2,070											78
Terra Firma -												
Guatemala -	608											
Buenos Ayres -	3,103											266
Peru -	782											
Colombia -	4,779									118	347	
Chili -	2,381											
Lima -												
Portugal -	3,441				152							
Madeira -	8,059											
Fayal and the other Azores -	939				805							
Cape de Verd Islands -	1,781				67							
Coast of Brazil, & other Portuguese American Colonies -	38,845	397					110					
Italy and Malta -	5,111	105				35						
Trieste & other Austrian Ports on the Adriatic -	2,185											
Turkey, Levant, Egypt, Mocha, and Aden -	2,153											
Morocco and Barbary States -	164											
China -	9,563											
Asia, (generally) -	2,285											
West Indies, do. -	20,997	450										
Europe, do. -	1,175											
Africa, do. -	2,498											
South Seas -	12,384											
Northwest Coast of America -	495											
Uncertain -												
Total, —Tons	919,278	69,315	8,821	5,198	1024	621	2,033	9,459	3,026	827	82	880
												711
												266

Grand Total 102,552 Tons.

Treasury Department, Register's Office, February 15, 1825.

*A Statistical View of the Commerce of The United States, exhibiting the articles of every description of Exports to, each Foreign Country; also the to, each Foreign Country, and the Tonnage belonging to each Foreign ending 30th September, 1824.*

COUNTRIES.	COMMERCE.					
	VALUE OF IMPORTS.		VALUE OF DOMESTIC EXPORTS.		VALUE OF FOREIGN EXPORTS.	
	In Ame- rican Vessels.	In Foreign Vessels.	In Ame- rican Vessels.	In Foreign Vessels.	In Ame- rican Vessels.	In Foreign Vessels.
1 Russia - - - - -	2,179,468	30,195	92,766	-	132,215	-
2 Prussia - - - - -	-	-	5,163	-	-	-
3 Sweden and Norway - - -	901,381	97,534	109,581	54,144	109,770	51,230
4 Swedish West Indies - - -	102,835	-	198,976	6,007	39,687	-
5 Denmark - - - - -	-	-	31,281	4,206	285,011	14,311
6 Danish West Indies - - -	2,075,256	35,410	1,145,768	3,873	698,302	-
7 Danish East Indies - - -	-	-	-	-	-	-
8 Holland - - - - -	1,098,984	111,283	1,529,224	68,290	599,599	18,232
9 Dutch West Indies and American Colonies - - - - -	949,687	48,113	542,776	46,999	106,076	5,914
10 Dutch East Indies - - -	147,458	-	61,669	-	638,616	-
11 England, Man, and Berwick - -	24,850,862	1,797,060	13,679,187	4,539,654	643,299	624,987
12 Scotland - - - - -	469,171	539,349	352,177	844,042	1,175	13,437
13 Ireland - - - - -	334,773	97,102	818,258	96,274	2,902	5,771
14 Guernsey, Jersey, Sark, and Alderney -	-	-	-	-	-	-
15 Gibraltar - - - - -	693,844	-	890,969	43,433	932,245	2,290
16 British African Ports - - -	-	-	-	-	-	-
17 Do. East Indies - - -	441,867	-	34,354	-	-	-
18 Do. West Indies - - -	2,370,225	387,842	1,631,522	119,180	927,716	-
19 Newfoundland and British Fisheries -	8,213	-	7,243	-	20,234	7
20 British American Colonies - -	690,097	15,834	1,709,182	63,922	637	1,980
21 Other British Colonies - - -	36,101	-	18,649	1,814	2,311	-
22 The Hanse Towns and Ports of Germany - - - - -	1,331,065	1,196,765	487,532	371,851	491,715	512,17
23 French European Ports on the Atlantic - - - - -	6,713,006	28,107	7,083,957	501,858	1,083,657	11,939
24 Do. do. on the Mediterranean - -	443,409	7,045	265,815	-	750,431	-
25 French West Indies and American Colonies - - - - -	823,089	60,995	684,287	86,228	39,344	1,875
26 French East Indies - - -	-	-	-	-	-	-
27 Bourbon and Mauritius - - -	42,329	-	36,692	-	6,207	-
28 Other French African Ports - -	-	2,783	-	-	-	-
29 Hayti - - - - -	2,200,613	46,662	1,879,920	23,006	462,726	463
30 Spanish European Ports on the Atlantic - - - - -	259,560	-	140,436	-	366,434	-
31 Do. do. on the Mediterranean - -	308,657	-	9,840	-	-	-
32 Tenerife and the other Canaries -	81,330	13,649	39,467	3,378	19,513	63
33 Manilla and Philippine Islands -	153,472	-	8,958	-	210,562	-
34 Honduras, Campeachy, and Musquito Shore - - - - -	204,067	12,430	114,670	42,390	178,299	16,066
35 Cuba - - - - -	7,620,431	278,895	3,447,153	164,540	2,183,042	12,795
36 Other Spanish West Indies - -	850,091	6,605	301,181	5,715	233,718	-
37 South America and Mexico - -	6,342,585	444,184	2,765,722	61,798	4,980,265	60,701
38 Portugal - - - - -	241,138	1,166	77,235	-	5,168	-
39 Madeira - - - - -	247,010	500	315,890	-	26,347	-
40 Fayal and the other Azores - -	42,753	2,350	9,169	8,294	-	4,623
41 Cape de Verd Islands - - -	64,627	2,178	50,562	457	21,065	-
42 Other Portuguese African Ports -	-	-	-	-	-	-
43 Brazil - - - - -	2,072,270	1,849	1,671,961	27,793	602,150	-
44 Italy and Malta - - - - -	1,018,392	11,047	66,142	10,726	576,821	10,539
45 Trieste and other Austrian Ports on the Adriatic - - - - -	268,867	-	6,596	-	518,057	-
46 Turkey, Levant, and Egypt - -	471,238	-	25,171	-	384,257	-
47 Morocco and Barbary States - -	-	-	1,694	-	3,819	-
48 Cape of Good Hope - - - - -	-	-	-	-	-	-
49 China - - - - -	5,618,502	-	330,466	-	4,970,705	-
50 Asia (generally) - - - - -	247,095	-	19,271	-	450,358	-
51 West Indies do. - - - - -	188	-	552,992	7,006	39,886	-
52 Europe do. - - - - -	25	-	55,401	-	1,008	-
53 Africa, do. - - - - -	161,320	-	83,900	-	64,506	-
54 South Seas - - - - -	86,131	-	44,063	-	119,367	-
55 Northwest coast of America - -	-	-	9,703	-	29,675	-
56 Uncertain - - - - -	372	7,061	-	-	-	-
Total Dollars	75,265,054	5,283,953	43,444,619	7,204,881	23,967,087	1,370,070

Grand Total - 80,549,007

50,649,500

25,307,157



*value of articles of every description of Imports from, and the value of Tonnage of American and Foreign Vessels arriving from and departing Power employed in the Commerce of The United States, for the Year*

COMMERCE.	NAVIGATION.					
Total value of Domestic and Foreign produce exported.	AMERICAN TONNAGE.		FOREIGN TONNAGE.		Foreign tonnage entered into The United States belonging to each Foreign Power.	Foreign tonnage departing from The United States belonging to each Power.
	Entered into The United States.	Departing from The United States.	Entered into The United States.	Departing from The United States.		
231,981	16,051	2,201	343	-	-	-
5,163	-	120	-	-	-	-
324,758	14,535	2,852	2,469	1,560	Swedish 3,112	3,026
244,670	3,634	8,263	296	340	-	-
335,309	452	2,416	-	82	Danish 738	827
1,847,943	32,310	36,458	938	320	-	-
-	207	-	-	-	-	-
2,215,345	23,529	24,517	1,087	1,452	Dutch 3,132	2,033
701,759	19,710	19,071	1,440	1,406	-	-
700,285	1,637	3,314	-	-	-	-
19,487,123	133,794	140,125	42,352	42,310	British 67,351	69,315
1,210,851	4,615	3,175	9,651	5,836	-	-
922,205	11,738	20,541	2,698	1,761	-	-
-	-	-	-	-	-	-
1,868,847	10,992	27,285	-	1,102	-	-
-	-	-	-	-	-	-
962,070	1,270	2,920	-	-	-	-
1,771,008	93,933	91,637	6,597	7,567	-	-
7,243	-	-	-	-	-	-
1,775,724	48,725	53,951	3,989	9,130	-	-
22,774	990	444	-	-	-	-
1,863,273	13,856	11,052	7,726	9,973	Hanse. 8,630	9,459
8,681,427	44,699	58,615	4,239	4,610	French 10,173	8,821
1,016,246	8,079	8,457	433	-	-	-
811,732	31,463	36,882	6,152	3,821	-	-
-	-	-	-	-	-	-
42,899	371	947	-	-	-	-
-	-	-	139	-	-	-
2,365,155	36,753	46,207	562	489	Haytien 83	82
506,870	4,504	6,084	-	-	-	-
9,840	4,524	756	-	356	Spanish 4,452	5,198
62,989	1,106	1,732	249	130	-	-
219,520	580	804	-	-	-	-
351,425	7,199	5,290	854	1,280	-	-
5,807,533	128,840	124,888	4,387	4,845	-	-
540,614	13,224	5,068	1,158	180	-	-
7,868,457	36,931	61,651	1,885	1,554	So. Am. 2,188	1,857
82,423	25,033	3,441	966	152	Portug. 1,226	1,024
342,243	5,049	8,059	254	-	-	-
21,486	713	939	686	805	-	-
72,684	3,097	1,781	619	67	-	-
-	-	-	-	-	-	-
2,301,904	17,491	38,845	-	507	-	-
664,348	8,018	5,111	188	461	Italian 621	621
524,653	3,541	2,185	-	-	-	-
409,428	1,775	2,153	-	-	-	-
5,513	-	164	-	-	-	-
-	-	-	-	-	-	-
5,301,171	10,518	9,563	-	-	-	-
469,629	2,600	2,285	-	-	-	-
599,884	1,218	20,997	-	450	-	-
57,009	142	1,175	-	-	-	-
148,406	2,086	2,498	-	-	-	-
163,430	18,591	12,384	-	-	-	-
39,378	-	495	-	-	-	-
-	-	-	-	-	Uncertain 661	289
75,986,657	850,033	919,278	102,367	102,552	102,367	102,552

TREASURY DEPARTMENT, Register's Office, February 15, 1825,  
JOSEPH NOURSE, Register.

***ORDINANCE of the King of France, recognizing the Independence of the French Part of St. Domingo.***

CHARLES, PAR LA GRACE DE DIEU, ROI DE FRANCE ET DE NAVARRE,  
A TOUS CEUX qui ces présentes verront, salut. :

Vu les Articles 14 et 73 de la Charte;

Voulant pourvoir à ce que réclament l'intérêt du Commerce Français, les malheurs des anciens Colons de Saint-Domingue, et l'état précaire des habitans actuels de cette Ile.

Nous avons Ordonné et Ordonnons ce qui suit :

Art. I. Les Ports de la Partie Française de Saint-Domingue seront ouverts au Commerce de toutes les Nations.

Les droits perçus dans ces Ports, soit sur les Navires, soit sur les Marchandises, tant à l'entrée qu'à la sortie, seront égaux et uniformes pour tous les Pavillons, excepté le Pavillon Français, en faveur duquel ces droits seront réduits de moitié.

II. Les habitans actuels de la Partie Française de Saint-Domingue verseront à la Caisse Générale des dépôts et consignations de France, en cinq termes égaux, d'année en année, le premier échéant au 31 Décembre 1825, la somme de 150,000,000 de francs, destinés à dédommager les anciens Colons qui réclameront une indemnité.

III. Nous concédons à ces conditions par la présente Ordonnance, aux habitans actuels de la Partie Française de l'Ile de Saint-Domingue l'Indépendance pleine et entière de leur Gouvernement.

Et sera, la présente Ordonnance, scellée du grand Sceau.

Donné à Paris, au Château des Tuileries, le 17 Avril, l'An de grâce 1825, et de notre Règne le Premier.

CHARLES.

***REPORT of the Minister of Marine and Colonies, to the King of France, relative to St. Domingo.***

SIRE,

DEPUIS les sinistres événemens qui, en 1791 et 1792 bouleversèrent une de nos plus importantes Colonies et menacèrent toutes les autres d'une destruction générale, l'attention des divers Gouvernemens qui se sont succédés n'avait cessé de se porter sur une possession précieuse, et qui était d'un si grand poids dans la balance du Commerce de la France.

A l'époque du Traité d'Amiens, une expédition formidable se prépara dans nos Ports : vingt vaisseaux de ligne, vingt frégates et un grand nombre de vaisseaux de transport y débarquèrent successivement près de 50,000 hommes ; on connaît les résultats déplorables de cette expédition. Je n'en signalerai point ici les causes : quelles

que soient les fautes qui furent commises et les conséquences qui en furent la suite, il n'en resta pas moins démontré à tous les gens sages et éclairés, que de toutes les chances que pouvait présenter une expédition de ce genre, celle de la conquête n'était ni la seule, ni peut-être même la plus difficile à obtenir.

Depuis cette époque, les relations avaient été entièrement rompues avec cette Colonie, une mort certaine était même réservée à tout Français qui aurait osé s'y introduire.

A l'époque heureuse de la restauration, diverses tentatives furent faites, soit pour renouer avec elle des relations favorables à notre Commerce, soit pour assurer à d'anciens Propriétaires une indemnité des pertes qu'ils avaient subies, soit enfin pour rattacher par les liens d'une dépendance au moins extérieure, et toute de protection, la Colonie à son ancienne Métropole.

Ces tentatives n'eurent aucun résultat ; mais il fut facile d'apercevoir, que les anciennes haines s'étaient affaiblies, que de vieux souvenirs s'étaient réveillés, qu'un système plus régulier de gouvernement s'était établi, et que des relations pouvaient se renouer avec des avantages réciproques et mutuellement appréciés.

C'est surtout depuis que la force des événemens avait fait tomber le pouvoir entre les mains du Président actuel, que ces dispositions avaient été plus remarquées, et qu'un système de protection et d'égards pour le Commerce Etranger et même pour le Commerce Français, avait remplacé ces mesures de défiance dans lesquelles l'Ile avait si long-tems cherché sa sûreté.

Plusieurs expéditions se dirigèrent donc des Ports de France sur Saint-Domingue ; mais elles n'y étaient admises que sous un Pavillon simulé, et les droits auxquels elles étaient assujéties, étaient doubles de ceux auxquels étaient soumis les navires d'autres Nations plus favorisées.

Votre Majesté a pensé, Sire, qu'un pareil état de choses ne pouvait se maintenir plus long-tems ; qu'il fallait ou renoncer à toute relation avec cette Ile, ou les établir sur un pied qui fût respectivement avoué, et qu'il importait à la dignité de la Couronne, que le Commerce de France ne fût dans aucun cas obligé de dissimuler son Pavillon et d'emprunter des Couleurs Etrangères.

La sagesse de Votre Majesté avait aussi apprécié ce que la marche progressive des événemens pouvait amener de chances nouvelles dans les rapports de l'Ancien avec le Nouveau-Monde, et elle avait marqué elle-même ce point délicat, qui dans les affaires graves et importantes est souvent unique et presque toujours décisif.

Votre Majesté se détermina à rendre l'Ordonnance du 17 Avril.

Satisfaire aux besoins du Commerce Français en lui ouvrant un débouché avantageux, assurer une indemnité aux Anciens Colons de Saint-Domingue, faire cesser l'état précaire où se trouvaient les habi-

tans de cette Île; tels furent les motifs qui déterminèrent Votre Majesté. Ils étaient dignes de Son cœur paternel et de la haute protection qu'elle accorde à tous les intérêts du Pays.

Votre Majesté m'avait chargé de faire parvenir cette Ordonnance au Président du Gouvernement de Saint-Domingue, comme la dernière condition sous laquelle elle consentirait à renoncer à ses droits de Souveraineté et à accorder à cet Etat l'Indépendance pleine et entière de son Gouvernement.

En même tems que Votre Majesté annonçait ces déterminations nobles et généreuses, elle me donnait l'ordre de faire toutes les dispositions nécessaires pour que de pareilles intentions n'eussent pas été manifestées en vain, et sans douter un instant qu'elles ne fussent reçues avec la reconnaissance qu'elles méritaient, elle avait voulu qu'elles fussent accompagnées de cet appareil de force et de dignité qui convient à tout ce qui émane d'un Roi de France.

D'après les ordres de Votre Majesté, M. le Baron de Mackau, Capitaine de ses Vaisseaux et Gentilhomme de sa Chambre, a été chargé de porter cette Ordonnance, et il est parti de Rochefort le 4 Mai dernier sur la frégate *la Circé*.

Ses instructions lui prescrivaient de se rendre immédiatement à la Martinique, pour s'y concerter avec le Lieutenant-Général Comte Donzelot, Gouverneur de cette Colonie, et avec M. le Contre-Amiral Jurien, Commandant la Station Navale de Votre Majesté dans les Antilles.

Le Contre-Amiral Jurien recevait en même tems l'ordre de rallier tous les bâtimens dépendans de la Station, en sorte qu'ils fussent réunis au Fort Royal du 15 au 20 Juin, et le Contre-Amiral Grivel, Commandant la Station Navale du Brésil, devait se rendre à la même époque à la Martinique, et s'y réunir à l'Escadre du Contre-Amiral Jurien.

*La Médée*, partie de France vers le milieu de Mai, recevait la même destination et arrivait au Fort Royal le 17 Juin.

Votre Majesté m'avait aussi donné l'ordre de tenir en état d'armement complet et prêtes à appareiller au premier signal, quatre frégates, *l'Amphitrite*, *l'Antigone*, *la Flore* et *la Galathée*, et de mettre en commission ou en état d'armement provisoire, deux vaisseaux, quatre frégates, et plusieurs bâtimens légers. Il eût suffi de quelques jours pour achever leur armement et les mettre en état de suivre au premier ordre la destination qu'il eût paru convenable de leur donner.

Les ordres de Votre Majesté ont été ponctuellement exécutés et avec une précision que ne comportent pas toujours des expéditions qui sont subordonnées à tant de causes éventuelles.

L'Escadre remise sous les ordres de M. le Contre-Amiral Jurien à l'époque du 20 Juin, se composait du vaisseau *l'Eylan*, de 80 canons; du *Jean-Bart*, de 74; des frégates *la Vénus* et *la Clorinde*, portant



du 24 ; de la *Nymphe*, de la *Thémis*, de la *Magicienne*, de la *Circé*, de la *Médée*, de la *Salamandre*, portant du 18, et de cinq bricks ou bricks-goëlettes armés de 16 canons de 18 et de 24.

M. le Baron de Mackau, commandant la *Circé*, avait ordre de précéder de quelques jours le départ de l'Escadre qui ne devait se montrer dans les parages du Port-au-Prince que d'après l'avis qui lui en serait donné.

Cet Officier a appareillé de la Martinique le 23, avec une division composée de la frégate la *Circé* et des deux bricks le *Rusé* et la *Béarnaise*. Il a paru devant le Port-au-Prince le 3 Juillet. Le surplus de l'Escadre a appareillé le 27 Juin du Fort-Royal.

L'accueil que reçut M. le Baron de Mackau fut de nature à lui faire concevoir de justes espérances sur le succès de la mission dont il était chargé.

A peine se fut-il signalé, que deux Officiers vinrent à son bord, et qu'un logement convenable lui fut désigné au Port-au-Prince ainsi qu'aux Officiers sous ses ordres.

Des conférences s'ouvrirent de suit entre lui et trois Commissaires qui avaient été délégués par le Président du Gouvernement d'Haïti, et comme au bout de trois jours, elles n'avaient pas été amenées à un point de solution, elles furent reprises avec le Président lui-même, aux intentions conciliantes duquel M. le Baron de Mackau se plaît à rendre la plus entière justice.

Ce fut le 8 Juillet, et après quelques discussions préliminaires qui n'étaient pas sans importance, mais qui furent traitées avec cet esprit de conciliation qui termine les affaires, quand on veut franchement les terminer, que le Président écrivit à M. de Mackau : que d'après les explications qui lui avaient été données, et confiant dans la loyauté du Roi, il acceptait au nom du Peuple d'Haïti l'Ordonnance de Votre Majesté, et qu'il allait faire les dispositions nécessaires pour qu'elle fût entérinée au Sénat avec la solennité convenable.

Je ne dois pas laisser ignorer à Votre Majesté qu'avant de prendre cette détermination, le Président avait cru devoir consulter plusieurs Membres du Sénat et les Principaux Officiers de l'Île ; que les difficultés qui s'étaient élevées dans la discussion furent mises sous leurs yeux ; que tous déclarèrent s'en remettre à la sagesse du Chef de la République, que la confiance dans la parole et dans les intentions généreuses de Votre Majesté a seule aplani tous les obstacles, et que lorsque M. le Baron de Mackau fut introduit du Cabinet du Président dans la salle où se trouvaient réunis tous les Principaux Officiers, les cris de *Vive le Roi ! Vive le Dauphin de France ! Vive la France !* se firent entendre avec une acclamation unanime, et se mêlèrent aux cris d'Indépendance Nationale, que l'Ordonnance de Votre Majesté venait de proclamer et de reconnaître.

Ce fut le 11 Juillet, que le Sénat fut convoqué pour procéder à

**Pentérinement de l'Ordonnance, d'après les formes prescrites par les Lois constitutives du Pays.**

Ce jour fut un véritable jour de fête pour les habitans de l'Île. La population tout entière s'était réunie dans les places publiques et dans les rues où devait passer le cortège. Une troupe nombreuse de la meilleure tenue formait la haie depuis le rivage jusqu'à la place du Sénat. L'Escadre avait reçu l'invitation d'entrer dans le port. M. le Baron de Mackau, accompagné de MM. les Contre-Amiraux Jurien et Grivel et des Officiers de l'Escadre, porta avec l'appareil le plus solennel l'Ordonnance de Votre Majesté, qui fut saluée à son passage par toute l'artillerie des vaisseaux, à laquelle se mêlèrent les acclamations unanimes de la population. Arrivés au Sénat, où ils furent introduits avec les égards et le cérémonial convenables, l'Ordonnance fut entérinée en leur présence. Le procès-verbal qui a été dressé de cette séance et le discours du Président du Sénat Commissaire de Votre Majesté, ne laissent aucun doute sur l'unanimité de sentimens avec laquelle elle a été reçue et sur la profonde reconnaissance qu'elle a fait naître dans tous les cœurs.

C'est aux cris de *Vive le Roi de France, vive son fils bien-aimé!* que la séance fut levée, et qu'une Commission de trois membres fut chargée d'en porter l'expédition au Président de la République.

Depuis le jour de cette séance jusqu'au 18 Juillet, jour où l'Escadre est partie, et au 20 Juillet où M. le Baron de Mackau a quitté le Port-au-Prince, une suite de fêtes brillantes se sont succédées, et la joie manifestée par la population a prouvé que les intentions bienveillantes de Votre Majesté avaient été senties et appréciées, comme elle avait droit de l'attendre.

M. le Baron de Mackau a donné passage à son bord à trois Envoyés qui se rendent en France dans la vue de négocier un emprunt pour satisfaire aux conditions de l'Ordonnance.

Sire, ces mêmes sentimens qui s'exhalaient avec tant d'enthousiasme à deux mille lieues de votre Capitale, dans une Île dont tant d'événemens semblaient nous écarter pour toujours, se sont manifestés avec la même expression dans les ports et dans les villes maritimes de votre Royaume. Elles ont vu se rouvrir pour elles des sources de prospérité qu'elles croyaient taries. Les anciens Colons dépourvus depuis si long-tems de ressources, et ne conservant même plus les illusions de l'espérance, éprouveront un soulagement inattendu. Un état fixe et soumis à toutes les règles d'égard et de convenances que la civilisation introduites parmi les Nations, et dont elle a fait la première base du droit public, remplacera cet état précaire qui n'était pas sans danger pour toutes les Colonies Européennes.

Je ne terminerai pas ce rapport, Sire, sans mettre aux pieds de Votre Majesté l'expression du dévouement du Commandant et de tous les Officiers de son Escadre. Tous ont rivalisé de zèle pour exécuter

ponctuellement les Ordres de Votre Majesté. Les rapports de M. de Mackau, que j'ai mis sous ses yeux, ne lui permettront point de douter, j'ose l'espérer, que cet Officier n'ait répondu à la confiance qu'elle lui avait témoignée.

Sa mission, pour me servir de ses propres expressions dans ses conférences avec le Président d'Haïti, lui donnait le caractère de soldat et non celui de Diplomate ou de Négociateur. La franchise de ses explications, entièrement en harmonie avec celle que le Président n'a cessé de montrer dès le premier instant, a, je n'en doute pas, aplani beaucoup de difficultés et écarté beaucoup d'obstacles. J'oserai le recommander aux bontés de Votre Majesté.

Je suis avec le plus profond respect,

Sire,

De Votre Majesté,

Le très-humble et très-fidèle Sujet,

COMTE DE CHABROL.

[Moniteur, 2 Septembre 1825.]

**PIECES OFFICIELLES relatives aux Négociations du  
Gouvernement Français avec le Gouvernement Haytien ;  
pour traiter de la formalité de la reconnaissance de l'indé-  
pendance d'Haïti. 1821—1824.**

**RÉPUBLIQUE D'HAÏTI.**

JEAN-PIERRE BOYER, PRÉSIDENT D'HAÏTI.

Tous les Peuples ont eu leurs Révolutions, glorieuses ou funestes, selon les causes qui les avaient produites. Les uns ont dû leur splendeur à ces secousses politiques ; les autres en ont été ébranlés, et sont tombés en décadence : ceux-ci, trop corrompus pour conserver intacte, au milieu des orages, l'énergie nationale, ont vendu leur liberté, et se sont courbés sous un honteux asservissement : ceux-là au contraire, s'armant d'une noble résolution, ont secoué le joug de l'étranger, et se sont rendus indépendants. C'est au rang de ces derniers qu'il a plu à la Divine Providence de nous placer : nous ferons constamment tous nos efforts pour justifier aux yeux du monde les signes non équivoques de Sa volonté suprême.

Sortie victorieuse de la lutte où l'avait engagée le besoin de reconquérir ses droits imprescriptibles, la Nation Haïtienne, éclairée par les leçons de l'expérience, n'eut plus d'autre ambition que de fonder les bases de son Gouvernement sur des institutions semblables à celles qui avaient mérité à un Peuple célèbre le suffrage de l'Univers. Dès-lors elle comprit que, pour se mettre à la hauteur de ses destinées, Elle devait faire fleurir son agriculture, hâter sa civilisation, et

appeler le commerce dans ses ports. Toutes les Nations qui désirèrent d'établir une réciprocité d'échanges avec notre République, y furent donc admises et protégées. La France elle-même ne fut pas plutôt réconciliée avec l'Europe, dont les flottes ne lui fermaient plus les mers, qu'elle chercha les moyens de participer aux avantages de ces relations. Trop justes pour imputer au Monarque qui venait de remonter sur le Trône de Ses Pères, les torts d'une agression antérieure à son Gouvernement, nous reçûmes le commerce de cette Puissance, mais sous Pavillon masqué. Cette forme d'admission était nécessaire à la garantie nationale.

Telle était la situation d'Haïti, lorsque vers la fin d'Octobre 1814, le Général Dauxion-Lavaysse, muni d'instructions de M. Malouet, Ministre de S.M.T.C. au Département de la Marine, débarqua en ce port. Ses propositions étaient aussi ridicules que le but de sa démarche était perfide. Elles furent rejetées, et la Nation se tint sur ses gardes. Il est vrai que S. M. T. C. a désavoué la Mission de cet Agent ; mais il nous était permis alors de considérer comme authentiques des Pouvoirs revêtus de la signature d'un Ministre qui n'oserait la nier. Le Général Dauxion retourna à la Jamaïque dans les premiers jours de Décembre.

Deux ans après, et dans le même temps qu'Haïti s'occupait de réviser l'Acte fondamental de sa régénération, nous vîmes arriver, sur la Frégate Française La Flore, une seconde Députation qui, bien qu'émanée directement de S. M. T. C., n'obtint pas un meilleur succès, parce que les prétentions n'avaient point changé.

Malgré ces tentatives, bien faites pour éveiller la méfiance du Peuple sur les projets d'un Cabinet qui persistait à vouloir le faire rétrograder vers la servitude, le commerce français n'en continua pas moins, dans la plus entière sécurité, ses transactions avec Haïti.

La Correspondance, à laquelle ont donné lieu les deux Missions dont il vient d'être parlé, ayant été publiée par mon Prédécesseur, je ne m'étendrai pas davantage sur cette première époque des ouvertures diplomatiques de la France avec le Gouvernement de la République. Il me reste maintenant à faire connaître les détails des Négociations dont on a cru pouvoir renouer le fil avec moi : j'y joindrai les Pièces Officielles qui y sont relatives.

La réunion de la partie du Nord à la République fit éclore de nouvelles propositions (A. B. C.) que M. Aubert du Petit-Thouars fut chargé de me porter, de la part de M. le Conseiller d'Etat Esmangart, qui, lors de la Mission de M. le Vicomte de Fontanges, en 1816, dont il faisait partie, s'était attiré, en manifestant ici des principes libéraux, l'estime du Gouvernement Haïtien. M. Aubert m'annonçait que S. M. Louis XVIII s'était décidé à consacrer notre Indépendance, et se bornait à réclamer le droit de SUZERAINETE, avec des indemnités pour la cession du Territoire et des propriétés.



Ma réponse (D. E.) fut positive, et en repoussant jusqu'à l'ombre du protectorat, je consentis à faire revivre, comme la seule voie qui pût mener à un Traité Définitif, l'offre d'un indemnité raisonnablement calculée, que mon Prédécesseur avait faite au Général Dauxion Lavaysse, et que M. le Vicomte de Fontanges avait écartée. Cette offre de ma part resta dans l'oubli, malgré l'assurance que M. Aubert m'avait donnée que l'on n'attendait plus que la connaissance de ma-détermination pour en finir.

Il est à remarquer que chaque événement qui ajoutait à la prospérité de la République, ne tardait pas à être suivi de l'envoi de quelque Agent, dont la mission avortait toujours par les rétractations du Cabinet Français.

A peine les habitants de la partie de l'Est avaient manifesté leur ferme volonté de ne plus former avec nous qu'un seul et même Peuple, et avaient réalisé le vœu de la Constitution, que M. Liot se présenta à moi avec des Notes confidentielles de M. le Marquis de Clermont-Tonnerre, Ministre de la Marine. Ces Notes avaient pour but de me porter à faire une démarche de convenance : son Gouvernement, disait-il, ayant déjà fait infructueusement les premiers pas, désirait que je prisse à mon tour l'initiative.

Je n'avais pas oublié que la mission du Général Lavaysse, toute ministérielle, comme celle de M. Liot, avait été frappée d'un désaveu formel : je savais également à quoi m'en tenir sur les motifs de la non-réussite qui servait de prétexte à cette proposition ; mais voulant donner une nouvelle preuve de mes dispositions conciliatrices, et pensant qu'il serait agréable à celui qui sollicitait cette négociation, qu'elle fût menée avec mystère, je ne crus pouvoir la remettre alors en des mains plus convenables qu'en celles du Général Boyé, qui était ici depuis quelque temps.

Ce Général qui, à juste titre, possède mon estime et ma confiance, partit dans le courant du mois de Mai 1823, revêtu de mes Pleins Pouvoirs (F.) pour parvenir à la conclusion d'un Traité de Commerce, basé sur la reconnaissance de l'Indépendance d'Haïti. Il est surprenant que le Négociateur désigné par M. le Marquis de Clermont-Tonnerre, pour s'aboucher avec lui n'ait pas eu une latitude suffisante pour accepter mes propositions, puisque, d'après tout ce qui avait été agité depuis 1814, le Cabinet Français devait être fixé et sur notre détermination et sur les demandes auxquelles la France pouvait espérer de nous voir adhérer. Quoiqu'il en soit, cette négociation que le Ministère avait appelée de tous ses vœux, échoua (le croira-t-on ?) par une chicane sur la nature et le mode de l'indemnité proposée par le Général Boyé (G.)

M. Esmangart, dans ses Lettres du 27 Août et 26 Octobre 1823 (H. J.), me témoigna combien il regrettait que la mission dont le Général Boyé avait été chargé, n'eût point réussi. Il en attribuait la

cause au choix de mon Agent, et à la différence qu'il trouvait entre les propositions que j'avais faites le 10 Mai 1821 (D.), et celles que le Général Boyé lui avait présentées. Néanmoins ne désespérant pas de pouvoir mener à fin une affaire qu'il avait tant à cœur, il me pressait d'envoyer un autre Agent *que ne fût point indifférent, par sa position, au résultat de la Négociation, et que fût porteur de mes premières propositions*, m'assurant qu'alors le Gouvernement du Roi, qui ne voulait que des conditions justes, modérées, telles en fin que je les avais désirées moi-même, serait toujours disposé à traiter sur ces bases, bases qu'il reconnaissait n'avoir rien qui ne fût acceptable, qui, selon lui, conciliaient toutes les prétentions, et auxquelles il n'avait point été sans doute maître de donner suite dans l'intervalle qui s'est écoulé depuis ma Dépêche du 10 Mai 1821, jusqu'au jour de sa conférence à Bruxelles avec le Général Boyé, en Août 1823.

A ces deux Lettres de M. Esmangart en succéda bientôt une troisième, qu'il m'adressa le 7 Novembre 1823 (K.), pour m'annoncer M. Laujon, comme possédant toute sa confiance, et pour me transmettre son ardent désir de coopérer prochainement à la conclusion du Traité qui devait mettre une terme à toutes les incertitudes. En effet M. Laujon débarqua au Port-au-Prince, quelque jours après la publication de ma Proclamation du 6 Janvier dernier, et me présenta une Note en forme d'Instructions (L). Après avoir rappelé dans cette Note qu'il n'avait pas été en son pouvoir d'empêcher la rupture de la Négociation de Bruxelles, M. Esmangart ajoutait *qu'il aimait à croire que je reviendrais aux dispositions que je lui avais annoncées dans la Dépêche que M. Aubert avait été chargé de lui remettre*. A l'appui de cette assertion, M. Laujon me fit aussi des instances pour m'engager à envoyer un Agent en France, m'affirmant que le Gouvernement du Roi faisait dépendre de cette démarche la formalité de la reconnaissance de l'Indépendance d'Haïti, d'après les bases du 10 Mai 1821. (D.)

Tant de persévérance de la part de M. Esmangart à poursuivre l'achèvement de ce grand œuvre, me détermina à répondre à sa dernière lettre par ma Dépêche du 4 Février 1824 (M.), pour lui faire savoir que, me rendant au désir de son Gouvernement, j'allais à cet effet envoyer en France une Mission avec les Pouvoirs nécessaires. En conséquence, le 1er Mai dernier, les Citoyens Larose, Sénateur, et Rouanez, Notaire du Gouvernement, s'embarquèrent à bord du brick de commerce le *Julius Thalès*, pourvus de ma Lettre de Créance, en date du 28 Avril 1824 (N.), et de mes instructions du même jour (O.), qui ne pouvaient plus laisser aucun doute sur les Clauses du Traité qu'ils étaient chargés de conclure, et sur la formalité indispensable de la reconnaissance, par une Ordonnance Royale, de notre Indépendance absolue de toute domination étrangère, de toute espèce de suzeraineté, même de tout protectorat d'une Puissance quel-conque, en un mot, de l'Indépendance dont nous jouissons depuis vingt ans.

Je ne tardai pas à croire devoir me féliciter d'avoir fait partir les Citoyens Larose et Rouanez, puisqu'ils n'étaient pas encore arrivés à leur destination, que je recus successivement, par différens bâtimens, une dizaine de Lettres (P.) dans lesquelles MM. Esmangart et Laujon me témoignaient leur impatience du retard de la personne qui devait porter mes propositions. Mais par une fatalité inconcevable qui détourne toujours le Ministère Français du rapprochement qu'il paraît toujours si désireux d'opérer; mais par un système de tergiversation qui ne lui permit pas, au moment de conclure, d'admettre les propositions déjà admises, ou qui lui fait reproduire les prétentions qu'il avait abandonnées pour se créer une occasion d'alléguer l'insuffisance des pouvoirs de mes Agens, la Mission des Citoyens Larose et Rouanez demeura, comme les précédentes, sans résultat. Ils se virent donc dans la nécessité de demander leur Passeport pour revenir dans la République, où ils sont arrivés le 4 de ce Mois.

Leur conduite a répondu à mon attente. Elle méritera aussi, je n'en doute pas, l'approbation nationale. Le compte qu'ils m'en ont rendu (Q.) sera annexé aux Pièces Officielles que j'ai annoncés.

Je viens d'exposer les faits: je les livre au tribunal de l'opinion. Haïti sera à même de juger si son Premier Magistrat a justifié la confiance qu'elle a placée en lui, et le monde, de quel côté fut la bonne foi. Je me bornerai à déclarer que les Haïtiens ne dévièrent jamais de leur glorieuse résolution. Ils attendront avec fermeté l'issue des événemens. Et si jamais ils se trouvaient dans l'obligation de repousser encore une injuste agression, l'univers sera de nouveau témoin de leur enthousiasme et de leur énergie à défendre l'Indépendance Nationale.

Palais National du Port-au-Prince, le 18 Octobre 1824, An 21 de l'Indépendance d'Haïti.

BOYER.

Par le Président: *Le Secrétaire-Général,*

B. INGINAC.

### CORRESPONDANCE.

(A.) *M. Esmangart à M. le Président Boyer.*

MONSIEUR LE PRÉSIDENT,

*Paris, ce 5 Février 1821.*

Vous aurez probablement reçu, avant cette Lettre, celle que j'ai eu l'honneur de vous écrire le 25 Décembre dernier.

Depuis cette époque, la nouvelle de la réunion de la partie du nord à Votre Gouvernement est parvenue en France; elle nous donne l'espoir que toute la Colonie jouira désormais de la paix intérieure comme en jouissaient les parties de l'ouest et du sud.

Mieux que personne, Monsieur le Président, j'ai pu, depuis le voyage que j'ai fait à *Saint-Domingue*, apprécier les bons procédés

de Votre Excellence envers le Commerce Français. Ils ne sont point ignorés du Gouvernement du Roi, et la loyauté de votre conduite doit le convaincre de la foi que l'on peut ajouter à vos paroles.

Si quelques obstacles s'opposent encore à la conclusion de l'importante affaire qui m'a mis précédemment en relation avec vous, le changement que vous venez d'opérer si heureusement dans le Gouvernement de *Saint-Domingue* doit contribuer efficacement à les applanir.

J'aurais peut-être pu profiter de cette conjecture et rendre un service essentiel à mon Pays et au vôtre, si j'eusse connu d'une manière positive vos intentions; mais faute d'informations suffisantes, mon zèle s'est trouvé arrêté, et j'ai craint que des démarches entreprises dans un but salulaire ne fussent rendues infructueuses par des circonstances que je ne peux connaître, et qu'au lieu de hâter le moment d'une réconciliation entière, elles n'eussent peut-être pour résultat de troubler la bonne harmonie qui tend à s'établir entre les deux Pays.

Si, comme je dois le supposer, Monsieur le Président, vos dispositions ne sont point changées, et si vous reconnaissez toujours de quel avantage serait pour le Pays que vous gouvernez un accommodement avec la France, je croirais très-utile que vous voulussiez bien m'en donner l'assurance et me faire connaître en même temps d'une manière assez précise pour que mes démarches ne fussent pas infructueuses, quelles pourraient être vos propositions.

Cette Lettre vous sera remise par M. Aubert; c'est un homme sûr et auquel vous pouvez, Monsieur le Président, accorder une entière confiance. Dès qu'il aura reçu votre réponse, il reviendra sur le premier navire qui mettra à la voile pour la France. Si elle est telle que je l'espère, je ne perdrai pas un moment pour en informer le Gouvernement du Roi.

Je m'estimerai personnellement heureux, Monsieur le Président, d'avoir concouru à une affaire d'une si haute importance et pour votre Pays et pour vous. Il vous devra non-seulement la paix intérieure, et extérieure, mais même, on peut le dire, son existence; et votre nom se rattachera glorieusement à une bien grande époque.

Je saisis cette occasion, Monsieur le Président, &c.

ESMANGART.

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(B.)—*M. Aubert à M. le Président Boyer.*

MONSIEUR,

*Au Cap, le 4 Mai, 1821.*

S. M. le Roi de France, les Princes de sa Famille, le Gouvernement, le Commerce, la France entière a appris avec plaisir le succès que Votre Excellence venait d'obtenir, et la réunion de la partie du Nord à son Gouvernement.

La loyauté bien connue de Votre Excellence, ses bons procédés



envers le Commerce Français, la foi que l'on ajoute aux paroles qu'elle a dites en 1816 lors de la Négociation de MM. Esmangart et de Fontanges, tout a fait concevoir l'espoir bien doux de voir promptement se rétablir, sur des bases stables, les rapports de bonne intelligence entre la France et le Pays que vous gouvernez.

Aussitôt que la nouvelle de l'heureux changement que Votre Excellence venait d'opérer dans l'Île fut parvenue en France, M. Esmangart quitta sa Préfecture et se rendit à Paris. Là, par un rapport qu'il fit, il provoqua la réunion du Conseil du Gouvernement auquel il fut appelé. Les intérêts des deux Pays furent discutés avec une égale impartialité. Tous les avis se réunirent, et le Conseil se prononça en votre faveur. L'opinion qu'il fallait en finir fut adoptée.

L'avis du Conseil fut soumis au Roi et aux Princes; ils approuvèrent sa décision, et S. M. témoigna qu'elle était disposée à faire tous les sacrifices qui pourraient tendre au bonheur des habitants d'Haïti, et au rétablissement de la paix; pourvu, toutefois, qu'ils fussent établis sur des bases honorablement calculées pour les deux Pays.

Ce fut alors que M. Esmangart regretta bien vivement que Votre Excellence n'ait point eu assez de confiance en lui pour lui avoir fait connaître quelles pourraient être les propositions qu'elle croit pouvoir faire à la France, en dédommagement des sacrifices immenses qu'elle est prête à faire.

M. Esmangart craignit de s'avancer, de promettre des choses que Votre Excellence n'aurait peut-être pas voulu tenir, et par là d'éloigner l'époque de notre réconciliation au lieu d'en hâter le moment.

S'il eût été plus instruit, aujourd'hui tout serait terminé.

Cet obstacle n'est pas le seul qu'il ait rencontré; il y en avait un autre très-puissant, dont j'aurai l'honneur de parler à Votre Excellence, mais qui aujourd'hui ne peut plus avoir d'influence qu'ici.

Les prétentions de la France sont si modérées, si justes, sa conduite avec Haïti depuis la restauration a été telle, que Votre Excellence est beaucoup trop éclairée pour ne pas y voir le désir le plus sincère de terminer à l'amiable cette lutte déjà beaucoup trop longue.

La confiance avec laquelle on s'est livré, et on se livre journellement au commerce d'Haïti sur la simple parole de Votre Excellence, est la preuve de la vénération que sa parole inspire; et cette confiance est aussi la mesure de celle qu'elle doit nous accorder.

La gloire qui s'attache aux pas de Votre Excellence et a déjà rendu la République redevable envers elle de son agrandissement et de sa pacification, mettra le complément à son ouvrage en la rendant le fondement de son existence politique. Car aujourd'hui on peut dire avec assurance que tout dépend de Votre Excellence.

Plus on réfléchit aux conséquences d'un Traité entre la France et le Pays soumis à votre Gouvernement, plus on trouve que les résultats doivent en être avantageux pour ce dernier. Il consolide la paix in-

rière, donne à l'agriculture, et au commerce qui se fera librement, un accroissement incalculable. Les Capitaux arriveront à *Saint-Domingue* dès qu'on saura qu'on peut les y faire fructifier sans inquiétude ; tout le commerce de l'Amérique du Sud avec l'Europe se fera par *Saint-Domingue* qui deviendra l'entrepôt de ces deux parties du monde, ect... Plus on s'arrête sur toutes ces idées, plus elles s'agrandissent, plus on en sent toute l'importance.

La Lettre de M. Esmangart, que je suis chargé de remettre à Votre Excellence, a pour but de la prier de me faire connaître, ou de convenir des bases principales du Traité que l'on pourrait faire avec elle. C'est une connaissance préalable, sans laquelle il serait impossible d'entamer des négociations à d'aussi grandes distances, et d'éviter les lenteurs qu'entraînerait nécessairement un mal-entendu.

La crainte de ne pouvoir causer seul avec Votre Excellence, m'a engagé à lui écrire pour lui faire connaître les dispositions bienveillantes de S. M. le Roi de France.

J'ose espérer que Votre Excellence appréciera les sentiments qui m'ont guidé ; ils sont le résultat du vif désir que j'ai de voir se faire un Traité que je crois dans l'intérêt des deux Pays, dans celui du nom de Votre Excellence, et du désir non moins vif de mériter son estime.

Je suis avec un profond respect, &c.

AUBERT.

(C.)—*M. Aubert à M. le Président Boyer.*

MONSIEUR,

*Au Cap-Haïtien, le 8 Mai 1821.*

Le Conseil de S. M. avait pensé que ce qu'il y aurait de plus avantageux pour la France, et peut-être aussi pour le Pays que gouverne V. Ex., serait que vous voulussiez reconnaître la souveraineté de la France, aux conditions qui vous avaient été soumises en 1816 par Messieurs Esmangart et de Fontanges, en y ajoutant même quelques nouvelles concessions.

Ayant acquis la conviction que cette base ne peut être admise, je dois faire connaître à V. Ex. que S. M. désirant le bonheur des habitants de la partie de l'île soumise à votre domination, et non de porter parmi eux le trouble et la guerre civile, avait pensé qu'une telle reconnaissance serait peut-être funeste à la réunion et à la paix que vous venez d'établir avec tant de succès. S. M. a voulu donner une preuve de son désir sincère de la réconciliation, de sa bienveillance pour V. Ex. et en même temps de sa sollicitude pour un Pays qu'elle regarde toujours comme Français ; elle s'est décidée à consacrer l'indépendance de la République d'Haïti.

En prenant une telle résolution, S. M. s'est attendue à trouver dans V. Ex. et son Gouvernement des dispositions analogues ; elle

s'attend à voir reconnaître sa simple *suzzeraineté*, ou à la France un droit de protection semblable à celui que l'Angleterre exerce à l'égard du Gouvernement des Iles Ioniennes. Ce droit ne peut qu'être avantageux à la République, surtout dans les premiers temps; et il est utile à son Indépendance, en écartant toutes les prétentions que l'on pourrait élever sur elle: d'un autre côté, il assure à la France la libre jouissance du commerce avec Haïti.

S. M. ne désire le commerce qu'aux conditions établies pour la Puissance la plus favorisée; car dans l'intérêt d'Haïti, qui sera aussi celui de la France, après le Traité, il importe qu'il ne soit pas fait de conditions qui puissent, par suite, troubler l'ordre de la République.

Ces derniers motifs font tenir aux indemnités pour le Territoire et les propriétés; elles seront d'ailleurs promptement compensées par l'accroissement que prendront l'agriculture et le commerce.

Si telles sont, Monseigneur, les conditions auxquelles V. Ex. peut traiter et qu'elle daigne me les faire connaître, ou qu'elle veuille en instruire Monsieur Esmangart, dans une réponse à sa Lettre, je puis assurer V. Ex. que Monsieur Esmangart, ou tout autre Commissaire chargé de Pouvoirs, se rendra promptement près d'elle pour traiter définitivement.

La franchise avec laquelle je viens de m'expliquer est un hommage que je rends à V. Ex.; j'aurais cru lui manquer, en agissant différemment.

Je suis avec un profond respect, &c.

AUBERT.

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(D.)—M. le Président à Monsieur Esmangart, Conseiller-d'Etat,  
Préfet de la Manche.

MONSIEUR LE PREFET, Cap-Haïtien, le 10 Mai 1821.

M. AUBERT m'a remis votre Lettre datée de Paris le 5 Février dernier; il s'est également acquitté, par sa Note du 4 de ce mois et par celle d'hier, de ce que dont il étoit chargé, relativement à la reconnaissance de l'Indépendance d'Haïti.

Vous avez dû, Monsieur le Préfet, pendant votre séjour au Port-au-Prince, en 1816, vous bien convaincre que le Gouvernement de la République ne faisait qu'interpréter l'inébranlable volonté du Peuple, en demandant que la reconnaissance de l'Indépendance d'Haïti, de la part de S. M. T. C. fût pure et simple: car la prospérité du pays et l'honneur national ne permettent pas qu'il soit porté la moindre atteinte à cette Indépendance, soit en admettant la *Suzzeraineté directe ou indirecte*, soit en se plaçant sous la *protection* d'aucune Puissance quelconque. A cet égard, mon Prédécesseur s'est trop bien ouvert aux Commissaires du Roi de France, du nombre desquels vous faisiez partie, pour qu'il soit nécessaire d'entrer aujourd'hui dans d'autres explications.

C'est au moment où la République jouit de la paix intérieure, où elle est fréquentée par le commerce de toutes les Nations, que la question de la reconnaissance de son Indépendance est, de nouveau, vivement agitée ; et c'est pour donner au monde entier une preuve de la loyauté Haïtienne, de mon amour pour la concorde, que je serai disposé à faire revivre l'offre d'une indemnité, raisonnablement calculée, qu'avait faite mon Prédécesseur à l'époque de la première Mission que la France envoya ici, et qui fut écartée en 1816, dans le cas que S. M. T. C. reconnaitrait la Nation Haïtienne, comme elle l'est de fait, libre et indépendante : alors, le commerce Français pourra être, en Haïti, traité sur le pied de l'égalité avec celui des Nations qui y sont le plus favorisées ; mais il sera bien entendu que la République d'Haïti conservera une neutralité parfaite dans toutes les guerres que les Puissances Maritimes se feraient entr'elles.

Voilà, Monsieur le Prefet, les seules bases sur lesquelles il est possible de conclure un arrangement avec le Gouvernement de France, et qui, je l'espère, seront adoptées, parce que S. M. Louis XVIII. et les Princes de sa Famille sont trop éclairés, trop religieux, pour ne pas saisir cette circonstance, laquelle, en répandant sur leur nom une gloire éternelle et en attirant sur eux les bénédictions du ciel, procurera au commerce français les plus grands avantages.

Quant à vous, Monsieur le Préfet, je ne saurais trop louer le zèle qui dirige vos démarches en faveur de l'Indépendance de Haïti : votre constance, votre loyauté, dans cette importante affaire, vous mériteront la reconnaissance à laquelle ces vertus vous donnent droit.

Recevez, Monsieur le Préfet, les nouvelles assurances, &c.

BOYER.

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(E.)—*M. le Président à M. Esmangart.*

MONSIEUR LE PREFET,

*Cap-Haïtien, le 16 Mai, 1821.*

JE vous ai fait connaître, par le retour de M. Aubert qui est parti d'ici pour se rendre près de vous, et en réponse à votre dernière Lettre, les seules bases sur lesquelles il me serait possible d'entamer des Négociations relativement à la reconnaissance de l'Indépendance d'Haïti par le Gouvernement Français : la haute considération que votre zèle, dans cette importante cause, m'a inspirée pour votre personne, m'engage à penser que vous pourrez être utile en faveur de cette indépendance, en éclairant le Conseil de S. M. T. C., le Roi lui-même et les Princes de sa Famille, sur les intérêts actuels de la France et de ce Pays. Vous avez été à même, dans votre Mission de 1816, de juger quel est le vœu des Citoyens de la République, et si, sans se bercer d'une chimérique illusion, on pouvait croire à la possibilité de porter la moindre atteinte à la plénitude des droits dont ils jouissent, et de faire dévier le Gouvernement de la marche que lui a tracée l'opinion du peuple ; car vous n'ignorez pas sans doute qu'une Nation



puissante eût déjà sanctionné notre Indépendance, si nous avions consenti d'accepter la protection qu'elle nous a fait offrir : à cet égard, je vous rends la justice d'être persuadé que vous êtes fixé personnellement, Monsieur le Préfet, et que vous n'avez pas peu contribué, par des exposés vrais, à ramener les dispositions favorables dont M. Aubert a été chargé de m'entretenir de votre part.

La paix intérieure qui vient d'être rendue à la République et la réunion de tous les Haïtiens sous les mêmes Lois, font désirer à chacun, simultanément, de voir des rapports d'amitié, des relations de commerce s'étendre au dehors ; et, quoique indépendants par le fait, ils verraient avec plaisir les Nations de l'Europe approuver le courage avec lequel ils ont défendu leur liberté, et la modération qu'ils ont montrée en s'imposant la loi, dans leur Constitution, de n'entreprendre aucune guerre qui n'aurait pas eu pour but le salut de l'indépendance du Pays. On doit donc présumer que celle d'entr'elles qui, la première, consacrera authentiquement cette Indépendance, aurait des droits privilégiés à la reconnaissance du peuple ; mais il ne faut pas perdre de vue que toute autre voie serait inutile, et qu'en cherchant des sentiers tortueux on s'écarterait de la route qui, seule, peut mener à une réconciliation sincère, à un Traité Définitif.

Le souvenir de la conduite d'Angleterre envers les États-Unis d'Amérique, qui fesaient partie intégrante du territoire de ce Royaume, et qui forment aujourd'hui une Puissance Indépendante, vient se placer ici naturellement : l'émancipation des Américains n'est-elle pas un beau titre de gloire pour George III, et les efforts que la France fit de son côté pour assurer les triomphes de Washington n'ont-ils pas illustré le règne de Louis XVI ? ... Frappés de cet exemple, les Haïtiens se demandent souvent pourquoi cette dernière Puissance hésite à renoncer à de vains droits pour recueillir des avantages plus honorables ? ... La différence de l'épiderme serait-elle le motif de cette hésitation ? Il me semble que la Nation Française est trop éclairée pour se laisser encore diriger par ce ridicule préjugé : d'ailleurs, la haute idée que j'ai des vertus de S. M. T. C. m'empêche non-seulement de m'arrêter à ce doute, mais elle me fait concevoir, au contraire, l'espoir que bientôt il n'y aura plus d'obstacle à la reconnaissance de l'Indépendance d'Haïti.

Il vous est réservé, Monsieur le Préfet, de concourir à opérer ce grand œuvre : votre opinion sera pour beaucoup dans la balance, et j'apprendrai avec le plus vif intérêt que vous n'aurez rien négligé pour achever ce que vous avez commencé.

Agréez Monsieur le Préfet, les sentimens, &c.

BOYER.

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(F.)—*M. le Président au Général J. Boyé.*

*Port-au-Prince, le 5 Mai 1821.*

LA confiance que j'ai, Général, dans vos principes aussi bien que dans votre dévouement à la cause sacrée d'Haïti, me porte à vous charger de faire, en France, à qui de droit, les ouvertures nécessaires dans le but de parvenir à obtenir de S. M. Très-Chrétienne, la reconnaissance solennelle de l'Indépendance Nationale du Peuple Haïtien; vous connaissez trop bien la situation dans laquelle se trouve la République pour nécessiter des détails sur ce qui regarde les droits que peuvent avoir les Haïtiens pour obtenir la formalité de cette reconnaissance, lorsqu'il sont en possession absolue, depuis vingt ans, de l'Indépendance. Vous devez toujours bien vous pénétrer qu'il est de toute impossibilité de faire un seul pas rétrograde de la position dans laquelle les faveurs du Tout-Puissant ont placé cette Ile; vous devrez aussi faire attention qu'il ne serait pas possible d'avoir d'autres relations avec la France que sous le rapport du commerce qui procurera les plus grands avantages à ce Royaume.

Je vous donne en conséquence, par la présente, Général, les Pouvoirs nécessaires pour, d'après vos Instructions, entamer les susdites ouvertures, à l'effet de parvenir à la conclusion d'un Traité de Commerce qui devra avoir pour base la reconnaissance de l'Indépendance d'Haïti. Il vous est particulièrement recommandé de faire vos efforts pour atteindre le but de cette négociation dans le délai d'un mois au plus, après l'avoir entamée, afin, à cette époque, de m'informer du résultat. Cette importante affaire devra être secrète en attendant la ratification. Je ne doute pas que vous ne réussissiez aisément à convaincre le Gouvernement Français de la justice qu'il y aurait de sa part à proclamer la reconnaissance qui est demandée et des avantages qu'il assurera, en le faisant, à son commerce maritime.

Je m'en rapporte, Général, à votre prudence aussi bien qu'à votre zèle pour tout ce qui regarde les intérêts de la Patrie; vous recommandant de ne point perdre une seule occasion pour me faire connaître l'issue de la mission qui vous est confiée.

Recevez, Général, l'assurance, &c.

BOYER.

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(G.)—*Le Général Boyé à M. Le Président.*

PRESIDENT,

*Amsterdam, le 5 Septembre, 1823.*

Arrivé dans la rade du Texel, après une traversée de 50 jours que les vents contraires ont prolongée, ce n'est que le 2 Juillet que j'ai pu atteindre Amsterdam. Convaincu par de mûres réflexions, que le parti d'entamer la Négociation, du lieu même de mon débarquement, était préférable, sous plusieurs rapports, à celui de me rendre d'abord directement en France, je m'empressai d'annoncer l'objet de ma Mis-

sion. Avant d'entrer dans des détails, et de communiquer à Votre Excellence mes observations sur le résultat qu'elle a eu jusqu'ici, je dois mettre sous ses yeux la Correspondance à laquelle elle a donné lieu. Pour conserver plus de liaison à l'ensemble, je transcris ici cette Correspondance dans le corps même de ma Dépêche.

*Le Gen<sup>l</sup>. Boyé à M. le Marquis de Clermont-Tonnerre, Ministre de la Marine et des Colonies, à Paris.*

*Amsterdam, le 4 Juillet 1823.*

LE Gouvernement Haïtien m'ayant chargé, dans le temps, de présenter quelques propositions au Ministère Russe, cette ouverture fut communiquée, à l'époque du Congrès de Laybach, à S. Exc. M. le Comte de la Ferronnais. Par suite de cette communication, le Président d'Haïti, auquel je rendis compte de cet incident, jugea à propos de m'appeler auprès de lui. Parti, en conséquence, l'an dernier, de St. Pétersbourg pour le Port-au-Prince, je suis de retour en Europe avec les Pouvoirs et les Instructions nécessaires pour terminer les différends qui existent entre la France et Haïti.

J'ai l'honneur d'adresser ci-joint à V. Exc. une Copie de ces Pouvoirs.

Afin de prévenir les obstacles qui pourraient nuire au succès de cette négociation, d'éloigner d'elle toute intrigue, et de laisser au Gouvernement Français l'entière liberté de la conduire conformément à ses propres vues, il m'a été particulièrement recommandé de tenir ma mission secrète, et de ne former aucune espèce de liaison avec des hommes d'aucun parti. Connu en France de plusieurs personnages qui s'occupent des Colonies, et qui n'ignorent ni mon voyage à Haïti, ni la confiance dont m'honore le Président, j'ai dû craindre que, malgré toutes les précautions, mon arrivée à Paris n'y excitât de vifs soupçons sur la nature de l'objet que j'ai à remplir, et ne contrariât, par conséquent, le but de mes instructions. C'est cette crainte qui me détermine à faire cette communication à V. Ex., avant de quitter Amsterdam où je viens de débarquer, et où j'attendrai qu'elle m'informe de ses intentions, relativement aux moyens qui seraient jugés les plus propres à conduire l'affaire à une heureuse issue.

V. Exc. approuvera, sans doute, les motifs de ma détermination, et sentira l'avantage de dégager la marche de cette négociation de tout embarras et de toute influence, en la traitant loin du choc d'intérêts divers. Si telle est, en effet, l'opinion de V. Exc., et qu'elle croie devoir donner suite à cette ouverture, sans qu'il soit jugé expédient que je me rende à Paris, je serai prêt à recevoir, soit ici, soit à Bruxelles, Hambourg, St Pétersbourg, ou tout autre lieu qui me serait désigné, les propositions qui pourront m'être faites par les personnes chargées de pouvoirs de la part du Gouvernement Français, comme à faire connaître celles que mes Instructions rendront admissibles. Dans le cas,

enfin, où V. Exc. penserait que ma présence à Paris pourrait être utile, sans qu'il en résultât d'inconvénient, je m'empresserais de m'y rendre.

La position et le caractère du Président d'Haïti s'accordant pour ne lui conseiller d'autre marche que celle d'une politique franche et ouverte, il m'a ordonné de ne point cacher à V. Exc. qu'il ne tient qu'à lui de terminer avec d'autres Puissances des Négociations dont la conclusion ne pourrait qu'affecter essentiellement les intérêts du Commerce Français, puisqu'il serait désormais impossible de le faire jouir des mêmes avantages que d'autres se seraient assurés, les premiers : avantages que le Président d'Haïti a le désir sincère de réserver pour la France, et qu'il n'aura point à se reprocher, d'après sa présente démarche, de lui avoir fait perdre, si le Gouvernement Français persiste à refuser son assentiment à ce qu'il ne peut plus empêcher.

Il m'a été également enjoint de déclarer que le Gouvernement Haïtien croit avoir donné d'assez fortes preuves de sa modération et de ses vues conciliatrices, en admettant si long-temps dans ses ports et sur son territoire, des navires et des Sujets Français, quoiqu'il ait toujours été parfaitement instruit des projets hostiles qu'on n'a cessé de méditer contre lui. Un pareil échange de dispositions amicales, d'un côté, et de malveillance de l'autre, est trop inégal et blesse trop les droits d'une juste réciprocité, pour que le Président d'Haïti ne se voie pas dans la nécessité, quoiqu'à regret, d'y mettre enfin un terme. En conséquence, je ne dois pas laisser ignorer à V. Exc. que, si ma Mission est sans succès, les navires Français, sous quelque Pavillon qu'ils se présentent, ou de quelque masque qu'ils se couvrent, ne seront plus reçus dans les ports d'Haïti.

Je prie V. Exc. de ne donner à ce langage aucune interprétation défavorable. Je désavoue d'avance toute idée de provocation ou de menace. Le Président d'Haïti, en me commandant de faire cette déclaration, n'a eu d'autre intention que celle d'instruire, à temps et franchement, le Gouvernement Français d'une mesure que les intérêts du Pays, dont la destinée lui est confiée, ne lui permettent plus de différer.

Le Président d'Haïti pressé, d'autre part, de se prononcer sur les propositions qui lui sont faites, et dont il n'a suspendu l'effet que pour donner au Gouvernement Français une nouvelle preuve de son désir d'entretenir avec la France des liaisons que tout doit concourir à rendre réciproquement avantageuses, a besoin d'être promptement fixé sur le résultat de la présente ouverture. Je dois donc désirer ardemment que V. Exc. veuille bien ne pas apporter un trop long délai à m'honorer d'une réponse. J'ai l'honneur d'être, &c.

J. BOYÉ.



MONSIEUR LE GENERAL,

*Paris, le 21 Juillet 1823.*

J'ai reçu la lettre que vous m'avez fait l'honneur de m'écrire d'Amsterdam, en date du 4 Juillet. J'accepte la proposition que vous me faites de vous rendre à Bruxelles pour vous y entretenir avec une Personne qui serait investie de ma confiance. Veuillez en conséquence me faire savoir à quelle époque vous y serez et me donner en même temps votre adresse. La Personne que je suis dans l'intention d'y envoyer s'y rendra près de vous aussitôt que j'aurai reçu votre Lettre.

Recevez, Monsieur le Général, l'assurance, &c.

CLERMONT-TONNERRE.

MONSIEUR LE MARQUIS,

*Amsterdam, le 29 Juillet, 1823.*

CEN'est qu'aujourd'hui, 29 Juillet, que je reçois la Lettre que V. Exc. m'a fait l'honneur de m'écrire en date du 21. V. Exc. peut, dès la réception de la présente expédier la Personne investie de sa confiance: elle me trouvera à Bruxelles, à l'Hôtel de Bellevue.

J'ai l'honneur d'être, &c.

BOYE.

MONSIEUR LE GENERAL,

*Paris, ce 8 Août 1823.*

Sous très-peu de jours je serai à Bruxelles. Je partirai probablement d'ici, Dimanche ou Lundi. Mon voyage a pour but de traiter avec vous l'affaire importante dont vous êtes chargé. J'ai pris connaissance de la Lettre dans laquelle vous annoncez votre arrivée. J'ai autant que vous, j'ose vous l'assurer, le désir d'arriver à une conclusion heureuse et prompte, et je ne doute pas que notre entrevue n'amène ce résultat. Je descendrai aussi à l'Hotel de Bellevue, et j'aurai, dès mon arrivée, l'honneur de vous voir.

Je saisis cette occasion pour vous offrir, Monsieur, &c.

ESMANGART.

Les relations que je savais que M. Esmangart avait toujours cherché à entretenir avec Votre Exc., m'ont facilement expliqué le choix que le Ministre avait fait de lui, et je pense que vous n'en aurez pas été plus surpris vous-même. M. Esmangart n'est arrivé que le 16 Août à Bruxelles, et en est reparti le 22. Je n'ai pu m'empêcher de lui témoigner l'impatience où j'étais de le voir arriver, et de lui parler même du peu d'empressement que le Ministre avait paru mettre dans cette affaire, en ne répondant que le 21 Juillet à ma Dépêche du 4. Il a donné pour excuse à tous ces délais son absence de Paris; il était à sa Préfecture, et pour laisser tout en ordre, il n'a pu la quitter que plusieurs jours après avoir reçu l'avis du Ministre. Nos conférences, pendant son séjour à Bruxelles, ont été journalières; toutes les questions relatives au but qu'il s'agissait d'atteindre ont été agitées et débattues. Il n'y a plus de difficulté pour la reconnaissance de l'Indépendance,

cette base n'est plus contestée. Il n'y a seulement qu'à s'entendre sur la forme et les conditions. Quant à la forme, on affecte de voir de l'humiliation dans une reconnaissance formellement stipulée par un Article Spécial du Traité. On désirerait que vous vous contentassiez de la reconnaissance implicite qui résulterait nécessairement d'un Traité de Puissance à Puissance, et l'on m'a cité, à cet égard, le premier Traité entre l'Angleterre et les Etats-Unis. Sans pouvoir disconvenir qu'un Traité entre la France et la République d'Haïti ne fut, en effet, une reconnaissance d'Indépendance, j'ai persisté à en demander une déclaration explicite, en alléguant que je n'étais point autorisé à transiger sur ce point, et que cette stipulation me paraissait, d'ailleurs, devoir indispensablement entrer dans le corps même du Traité, pour écarter des esprits du Peuple Haïtien tout soupçon d'arrière-pensée. On m'a demandé, enfin, si l'Article de la reconnaissance ne pouvait pas être placé à la fin du Traité, au lieu de l'être au commencement; j'ai répondu que ce serait intervertir l'ordre des idées et des choses; que la reconnaissance étant la base sur laquelle serait fondé tout Traité, il était naturel que cet Article y figurât en tête. Les objections, à cet égard, n'ont pas été poussées plus loin.

En traitant la question de la réciprocité pour l'admission du Pavillon et des Sujets respectifs, M. Esmangart n'a pas manqué d'observer que les Colonies Françaises ne pouvaient y être comprises. Il m'a trouvé docile sur cette restriction, puisque je sais qu'elle n'est point contraire à vos vues. J'ai, cependant, accompagné mon assentiment des réserves nécessaires.

En parlant de la nature des rapports entre les deux Pays, après la conclusion du Traité, M. Esmangart semblait vouloir me faire entendre qu'il suffirait, pour les entretenir, d'employer des Agens Commerciaux, sous la dénomination ordinaire de Consuls. Je l'ai prié de s'expliquer ouvertement à ce sujet; sa réponse m'a convaincu que le préjugé de la couleur, déguisé sous le nom de convenances, exerçait encore puissamment sur ces Messieurs son influence ridicule, et que l'exception que l'on cherchait à introduire dans les rapports des deux Etats indépendants et liés par un Traité, n'était due qu'à la crainte de se trouver en regard avec un homme jaune ou noir. En repoussant, comme je le devais, des raisonnements futiles, j'ai fait sentir à M. Esmangart que vouloir la cause, c'était admettre l'effet, et que, puisque l'envoi et l'entretien permanent d'Agens, non-seulement Commerciaux, mais encore Diplomatiques, étaient la conséquence nécessaire d'un Traité entre deux Puissances, il fallait bien, s'ils voulaient se lier avec le Gouvernement d'Haïti, qu'ils consentissent à recevoir de sa part, conformément aux usages de toutes les autres Nations, des hommes chargés de surveiller ses intérêts, et d'entretenir l'harmonie entre les deux Etats.

Ces points préliminaires paraissant être réglés, nous sommes revenus sur la question principale des indemnités, que nous avions eu déjà

l'occasion d'entamer plusieurs fois, et qui se présente toujours comme l'obstacle capital. M. Esmangart prétend que vous avez accédé à cette base dans vos Communications avec M. Aubert du Petit-Thouars. Ma réponse à sa dernière Lettre de Paris, du 27 Août, est le résumé succinct, mais précis, des arguments dont j'ai fait usage pour réfuter cette prétention. Lorsqu'il fut enfin bien convaincu que je ne me relâcherais en rien sur la détermination que vous avez prise, il désira que je m'expliquasse sur ce que j'entendais par des compensations équivalentes à une indemnité. J'offris alors la réduction des droits d'importation à six pour cent, en faveur de la France. Cette offre lui parut très-insuffisante, et il chercha à en atténuer l'importance par des calculs inexacts que je relevai, et par la considération que ce que je présentais comme une si grande faveur, serait probablement accordé à d'autres ; que ce ne serait plus, par conséquent, un avantage pour la France, et il cita les Anglais. Je répliquai que quelle que fût à l'avenir la détermination du Gouvernement Haïtien à cet égard, il n'en résulterait pas moins un grand avantage pour la France, puisque, indépendamment du bénéfice réel d'une moitié des droits, son commerce, dont les relations avec Haïti ne seraient plus incertaines et précaires comme aujourd'hui, y aurait bientôt acquis une extension considérable. Après tous les autres développements dont la question était susceptible, j'en restai là dans cette conférence. Le lendemain le sujet fut repris, et voyant M. Esmangart bien décidé à ne pas se contenter de mon offre, je lui dis que, pour donner une preuve non équivoque du désir que je vous connaissais de vivre en bonne intelligence avec la France et de favoriser le commerce français, j'allais faire un grand pas de plus pour lequel j'espérais que vous ne me désapprouveriez pas, mais qu'il me serait de toute impossibilité d'aller au delà. J'offris alors l'exemption de tous droits d'importation, pendant l'espace de cinq années. Il parut frappé de cette nouvelle offre, et sans avoir l'air de la rejeter, il se contenta de me demander, avec l'apparence du doute, s'il vous serait bien facile de remplir cette condition. Je répondis que vous ne ratifieriez d'autres engagements que ceux que vous seriez bien sûr de pouvoir tenir, et que, quelque grand que fût le sacrifice, une fois décidé, il serait scrupuleusement accompli. Nous convînmes alors que je dresserais une Note des principales bases que j'étais autorisé à admettre, et qu'il la soumettrait à son Gouvernement. Je lui remis donc la Note suivante :

BASES DU PROJET DU TRAITÉ.

LE Roi de France renonçant à toutes prétentions sur l'Île d'Haïti (ci-devant St. Domingue), reconnaît, tant pour lui que pour ses Successeurs, la pleine et entière Indépendance de la République d'Haïti.

Le Pavillon des deux Nations serait réciproquement admis dans les ports ouverts des deux États.

Ne seraient point comprises dans la précédente disposition les Colonies Françaises, avec lesquelles le Gouvernement Haïtien s'engagerait à n'avoir aucune communication ; bien entendu, toutefois, que le Gouvernement Français, prendrait, de son côté, les mesures nécessaires pour que les dépositaires de son autorité dans lesdites Colonies, respectassent, en ce qui les concernerait, et fissent respecter par leurs subordonnés, les Territoires et le Pavillon de la République d'Haïti.

Le Président d'Haïti s'engagerait à exempter de tous droits d'importation, pendant l'espace de cinq années, les Marchandises Françaises importées dans les ports d'Haïti par des Navires Français.

A l'expiration du terme des cinq années d'exemption, les droits d'importation, pour les marchandises importées dans les ports d'Haïti par des Navires Français, seraient et demeureraient fixés à six pour cent sur la valeur, au lieu de douze, c'est-à-dire réduits de moitié.

Les produits du sol d'Haïti importés dans les ports de France par des Navires Haïtiens, et les marchandises exportées de France par lesdits Navires, paieraient les droits d'importation et d'exportation sur le pied des Nations les plus favorisées.

Les bâtiments de guerre jugés nécessaires à la protection du commerce, seraient réciproquement reçus dans les ports des deux Nations, et traités conformément aux usages pratiqués entre peuples amis.

L'envoi réciproque d'Agens Politiques et Commerciaux étant la conséquence nécessaire d'un Traité entre deux Puissances, les deux Parties Contractantes pourraient, quand elles le jugeraient convenable, envoyer et entretenir, l'une auprès de l'autre, des Agens Diplomatiques et Commerciaux, qui jouiraient, en leur qualité, des prérogatives garanties par le droit des gens, &c. &c. &c.

J'ajoutai en note, au bas du projet, le résumé suivant des raisonnements que j'avais employés avec M. Esmangart, pour faire ressortir la valeur de ces concessions :

*Nota.* En 1822, la France est entrée pour 15,000,000 de francs dans le commerce d'Haïti. On ne pourrait être taxé d'exagération en avançant que, libre de toute entrave et de toute incertitude, le Commerce Français, dès la première année, doublera ses spéculations. Mais en ne fixant sa part qu'à 25,000,000 par an, il est évident que les concessions proposées équivalent, pour Haïti, à un sacrifice de 3,000,000 par an, en faveur de la France, pendant les cinq années d'exemption ; et, pour toutes les autres années subséquentes, par la réduction des droits à six pour cent, à un sacrifice annuel de 1,500,000. C'est au Gouvernement Français à faire de ces immenses avantages l'application qu'il jugera convenable.

Il fut alors résolu, entre nous, afin de développer avec plus de détail et de précision, qu'il ne pourrait le faire par la correspondance-



toutes les circonstances de notre entrevue, que M. Esmangart partirait de suite pour Paris, et qu'il m'instruirait sans délai, soit personnellement, soit par écrit, du parti qu'adopterait son Gouvernement. Ce parti, sa Lettre du 27 Août va vous le faire connaître.

MONSIEUR LE GENERAL,

*Paris, le 27 Août 1823.*

J'ai rendu compte, en arrivant ici, du résultat de nos conférences. Le Gouvernement du Roi persistera à s'en tenir aux offres qui nous avaient été faites. Ce qui a été trouvé juste alors, l'est encore aujourd'hui, et personne n'a compris cette variation, puisqu'on annonçait le désir de finir.

Je regrette bien en mon particulier, Monsieur le Général, que vos pouvoirs n'aient pas été aussi étendus que les miens. J'étais parti d'ici dans la confiance qu'enfin tous nos débats allaient avoir leur terme; et je n'ai pas été peu surpris de voir la discussion se reporter sur un point qui avait été débattu et admis, et qui devait être le *sine quâ non* de tout arrangement.

Si le Gouvernement d'Haïti revient aux principes qu'il reconnaissait naguère comme les seules bases sur lesquelles il était possible de conclure, il trouvera le Gouvernement du Roi disposé à l'entendre.

Je suis avec une très-haute considération, etc.

ESMANGART.

MONSIEUR LE CONSEILLER-D'ÉTAT, *Bruxelles, le 31 Août, 1823.*

J'ai reçu la Lettre que vous m'avez fait l'honneur de m'écrire de Paris, en date du 27 de ce mois.

Il serait difficile de comprendre ce que vous entendez par *les offres qui vous avaient été faites*. A aucune époque, depuis votre mission, il n'y a eu, jusqu'ici, de rapports officiels entre les deux Gouvernements. Ce qui a pu être dit ou écrit à des Agents non avoués, ne saurait, en aucun temps, être réclamé comme base d'un arrangement définitif. D'ailleurs, si le Président actuel d'Haïti a parlé d'indemnités, comme vous me l'avez assuré, je n'ai aucun doute qu'il n'ait été mal compris, et qu'on n'ait faussement interprété ses expressions. Il n'a pu jamais être question, de sa part, d'indemnités *directes*, soit envers les anciens Colons, soit envers votre Gouvernement. Dans ces sortes de communications, qui n'étaient revêtues d'aucun caractère, et desquelles, par conséquent, on ne peut rien arguer, le mot vague d'indemnités ne devait s'appliquer qu'à des compensations du genre de celles que j'ai été chargé de vous offrir, et qui ne sont, en effet, autre chose qu'une véritable indemnité.

Le reproche de variation n'est donc pas fondé; il ne le serait pas même davantage, quand les offres prétendues vous auraient été officiellement et réellement faites dans le sens qu'on leur suppose. Si ces offres vous convenaient, que ne les acceptiez-vous alors? Pourquoi ne

pas poursuivre les avantages d'une concession qui entraînait si bien dans vos vues? Des années se sont écoulées, vous avez gardé le silence. Aurait-on pu, dans l'hypothèse, donner à ce silence d'autre interprétation que celle d'un refus, et ce refus, en rompant la négociation, n'aurait-il pas laissé aux deux Parties le droit incontestable d'en établir une nouvelle sur de tout autres bases, sans pouvoir être accusées de variation? Le temps, les circonstances peuvent, vous le savez, apporter chaque jour des modifications dans les projets et les résolutions d'un Gouvernement; et, en matière de négociation, c'est l'occasion qu'il faut saisir, car nul ne peut légitimement requérir le lendemain, l'accomplissement de ce qu'il a rejeté la veille.

Les propositions que j'ai eu l'honneur de vous faire, sont donc les seules, en ce qui concerne Haïti, qui puissent être actuellement l'objet des considérations du Gouvernement Français, parce qu'elles seules portent le caractère convenable à de pareilles transactions. C'est à ce Gouvernement à peser, dans sa sagesse, si elles s'allient, ou non, avec ses véritables intérêts.

Vous regrettez, Monsieur, que pour terminer nos débats, mes pouvoirs n'aient pas été aussi étendus que les vôtres. Je crois mes instructions suffisantes pour applanir nos différends à l'avantage réciproque des deux Parties; et je dois vous avouer, à mon tour, que je ne saurais voir une grande latitude dans des pouvoirs qui se renferment dans une condition, toujours contestée et à jamais inadmissible comme le *sine quâ non* de tout arrangement.

J'ai lieu d'être d'autant plus peiné moi-même de ce défaut d'entente, que j'ai la certitude qu'une mésintelligence jusqu'ici, pour ainsi dire, négative, va nécessairement prendre un aspect plus grave. L'aigreur qui ne peut manquer d'en être la suite, éloignera tout rapprochement, et comme il faut, cependant, que tout ait un terme, des concessions qui, sans avoir rien d'humiliant, auraient pu, de part et d'autre, ne paraître que volontaires, seront sans doute un jour, mais avec bien moins d'avantages, prescrites par la nécessité à l'obstination imprévoyante, de quelque côté qu'on la suppose.

Je pars, Monsieur, pour St. Petersburg avec le regret de n'avoir pu faire accueillir des propositions que la situation respective de la France et d'Haïti semblait devoir leur rendre également acceptables. Si vous croyez avoir à me faire quelque communication relative aux intérêts des deux Pays, je serai toujours disposé, en tout ce qui dépendra de moi, à concourir à son succès.

Je suis, &c.

J. BOYÉ.

MA présence n'étant plus utile ici, je vais partir pour me réunir à ma chère famille, dont j'ai heureusement reçu des nouvelles satisfaisantes qui étaient bien nécessaires à ma tranquillité. La saison trop avancée ayant mis fin aux expéditions pour la Baltique, je suis obligé

d'entreprendre, par terre, un voyage long, dispendieux et pénible. J'espère arriver à St. Pétersbourg vers la fin de ce mois.

Votre Excellence connaît mon dévouement à sa cause et à sa personne; il sera toujours le même jusqu'à mon dernier moment.

J. BOYÉ.

(H.)—*M. Esmangart à M. le Président.*

MONSIEUR LE PRÉSIDENT,

Paris, le 25 Août, 1823.

Je crois devoir vous entretenir de ce qui vient de se passer entre Monsieur le Général Boyé et moi.

Le 10 Juillet dernier, le Gouvernement reçut de lui l'annonce qu'il venait d'arriver à Amsterdam et qu'il était muni de vos pouvoirs pour terminer les différends qui existent entre Haïti et la France. Il proposait au Ministre d'envoyer soit à Amsterdam, soit à Hambourg ou Bruxelles, quelqu'un avec qui il pourrait entrer en négociation, afin d'arriver à la reconnaissance de l'Indépendance et à la conclusion d'un Traité de Commerce. Il n'indiquait pas les bases sur lesquelles pourrait se faire le Traité; mais elles se trouvaient tracées dans la Lettre que vous m'avez fait l'honneur de m'écrire en réponse de celle que j'avais chargé M. Aubert du Petit-Thouars de remettre à Votre Excellence. Vous me disiez : *Pour donner au monde entier une preuve de la Loyauté Haïtienne, et de mon amour pour la concorde, je serais disposé à faire revivre l'offre d'une indemnité raisonnablement calculée qu'avait faite mon Prédécesseur, à l'époque de la Mission que la France envoya ici, et qui fut écartée en 1816, dans le cas où S.M. T. C. reconnaîtrait la Nation Haïtienne libre et indépendante, &c. &c.*

Le Gouvernement du Roi ne dut pas douter, d'après l'annonce faite par M. le Général Boyé, qu'il n'eût les pouvoirs nécessaires pour traiter sur ces bases. Il me chargea de pouvoirs en conséquence, et je me rendis à Bruxelles dès que j'eus mis l'ordre nécessaire dans l'administration qui m'est confiée.

Dès ma première entrevue avec M. le Général Boyé, j'eus lieu de craindre que nous ne pussions pas nous entendre. Il m'annonça, avant même que nous ne fussions entrés en matière, qu'il n'était autorisé à traiter que sur des questions commerciales: et qu'il fallait renoncer à toute demande raisonnable d'indemnités, en me disant même d'une manière trop empressée, que si le Traité ne se faisait pas sur les bases posées dans ses instructions, Haïti était décidée à se mettre sinon en état d'hostilité ouverte contre la France; du moins à prendre des mesures indirectes pour que toute communication cessât avec elle. Comme nous n'étions pas là pour énumérer les forces des deux Pays, ni pour discuter leurs moyens d'attaque ou de défense, je me contentai de lui donner connaissance des bases que vous m'aviez vous-même indiquées dans votre Lettre du 10 Mai, 1821, comme étant, me disiez-vous, les seules sur lesquelles il était possible de conclure. Comme ces

bases n'avaient rien qui ne fût acceptable, qu'elles conciliaient toutes les prétentions, je lui offris de les admettre et de traiter. Je lui réitérai cette offre dans plusieurs conférences : mais comme il persista toujours à me répondre qu'il avait la défense la plus expresse de parler d'indemnités : et comme j'avais les ordres les plus positifs de ne pas traiter sans cette base, j'ai cru ne pas devoir lui faire connaître les propositions que j'étais chargé de faire, puisqu'il n'avait pas de pouvoirs pour les accepter ; nous nous séparâmes sans rien conclure.

Je ne saurais, Monsieur le Président, vous exprimer combien j'ai été contristé de voir cette négociation finir ainsi, quand, d'après les pouvoirs qui m'étaient donnés, je devais espérer le résultat le plus satisfaisant pour les deux Pays. Depuis six ans je suis occupé de cette affaire, et c'est au moment où je croyais la négociation arrivée à son terme, que je vois tout d'un coup les prétentions changer, et que tout ce qui pouvait décider l'arrangement, se trouve écarté.

Le Gouvernement du Roi, personne ne peut plus que moi Monsieur le Président, vous en donner l'assurance, voyait avec une grande satisfaction la possibilité de terminer nos débats. Sa démarche dans cette circonstance en est une preuve irrévocable : mais il devait croire que votre négociateur serait muni de pouvoirs suffisants pour conclure d'après les bases annoncées par vous-même, et qu'il m'avait chargé d'adopter.

Le changement de position, le temps qui s'est écoulé depuis vos propositions, sont les motifs que Monsieur le Général Boyé a mis en avant pour excuser cette variation. Ces motifs sont si futiles, qu'il ne m'a pas même paru raisonnable de les discuter : il eût été facile de démontrer que ce qui était utile alors ne l'était pas moins aujourd'hui.

Si quelqu'un est venu à bout de persuader au Gouvernement d'Haïti qu'il devait se montrer plus difficile et plus exigeant, il lui a rendu, j'ose le dire, un mauvais service ; car il est indispensable pour ce Pays, s'il veut prendre la consistance qu'il peut acquérir un jour, qu'il soit fixé dans ses relations avec la France. Je n'entrerai dans aucun détail à cet égard ; c'est une vérité trop bien sentie par vous, Monsieur le Président, comme par tous les Haïtiens qui ont besoin de faire prospérer le commerce et d'augmenter la culture, sans craindre les nuages de l'avenir.

Le Gouvernement du Roi ne veut que des conditions justes, modérées, telles enfin que vous avez paru vous-même les désirer ; et il sera toujours disposé à traiter sur ces bases ; mais je crois devoir vous observer, Monsieur le Président, que si vous trouvez bon de revenir à vos premières propositions, et si vous trouvez convenable de charger quelqu'un de cette importante négociation, il faudrait que ce Traité fût sa principale affaire. M. le Général Boyé avait ses affaires particulières qui le rappelaient, me disait-il, à Pétersbourg. La négociation d'Haïti semblait n'être qu'un incident, et vous sentez que



le Gouvernement ne pourrait aller le chercher à Saint-Petersbourg pour suivre la négociation. Vous comprenez aussi, Monsieur le Président, qu'une affaire de cette importance ne se traite pas sans réflexion. La République d'Haïti a un assez grand intérêt à conclure, pour envoyer un, fondé de pouvoirs *ad hoc*, qui comprenne bien surtout que ce n'est pas au moment où un arrangement peut se faire sur des bases durables qu'on peut parler d'hostilités, même indirectes, qui trouble-raient peut-être d'une manière bien fâcheuse et pour toujours la bonne harmonie qui était à la veille de s'établir.

Mon attachement pour vous, Monsieur le Président, celui que je n'ai cessé de porter aux habitans d'Haïti, me donnent quelques droits de vous parler avec cette franchise. Le sort du Pays que vous gouvernez est dans vos mains ; il serait probablement fixé depuis huit jours, si la personne chargée de vos pouvoirs avait voulu adopter les bases que vous aviez indiquées. Il dépend complètement de vous de finir cette affaire et de fixer ainsi la destinée de votre Pays ; et je serai heureux, soyez en sûr, si je puis coopérer à obtenir ce résultat.

Je suis avec respect, &c.

ESMANGART.

(J.)—*M. Esmangart à M. le Président Boyer.*

MONSIEUR LE PRÉSIDENT,

Paris, le 26 Octobre, 1823.

J'ai l'honneur de vous envoyer Copie de la Lettre que j'ai écrite au Général Boyé, à Bruxelles, et de la réponse qu'il m'a faite.

Je lui disais, comme Votre Excellence le verra, que le Gouvernement du Roi était prêt à entrer en négociation, en prenant pour bases les offres d'indemnités qui nous avaient été faites par vous-même. Il prétend que ces offres n'ont jamais été faites, ou qu'elles ont été mal comprises. J'ai sous les yeux votre Lettre : M. le Général Boyé n'en avait probablement pas la Copie, car il l'aurait comprise comme nous la comprenons ; mais il semble croire que tout ce qui est antérieur aux bons offices qu'il veut vous rendre doit être oublié, et que les bases qu'il vient nous établir doivent être seules discutées. Il paraîtrait qu'il a fait adopter ces bases au Gouvernement d'Haïti, et que tout ce qui peut avoir été dit et fait antérieurement à son arrivée, dans cette affaire, devrait être considéré comme non avenu. Il ne s'aperçoit pas que si son raisonnement était vrai pour Haïti, il le serait aussi pour la France, et qu'alors il faudrait remettre en discussion toutes les demandes, toutes les prétentions, tous les droits, tous les intérêts, dont nous ne parlions plus. Que si Haïti revient sur ce qui avait été offert, la France, par la même raison, discutera ce qu'elle était disposée à abandonner ; et qu'avec une telle manière de négocier, nous n'arriverons jamais au terme.

Cette Lettre du Général Boyé, Monsieur le Président, mérite toute votre attention. Elle a donné lieu ici à plus d'une observation. On a vu un Etranger partir du Nord de l'Europe pour aller s'immiscer

dans une affaire que vos propres lumières avaient jusqu'ici habilement dirigée. Je crains bien qu'il ne vous ait donné des espérances qui ne se réaliseront pas. Et si, par une fausse manœuvre, il vous fait dévier de la route la plus directe dans laquelle vous étiez embarqué, il vous empêchera d'arriver au port que vous touchiez et près duquel se trouvaient des pilotes sûrs qui avaient le désir de vous y faire entrer.

Rapportez-vous en à moi, Monsieur le Président ; conservez avec la France la position que vous avez ; et, quand vous voudrez traiter, le Gouvernement du Roi, quelque chose qu'aient pu vous dire ses ennemis, sera juste et modéré dans ses conditions, et il saisira même avec joie l'occasion de finir des débats qui, sans l'inquiéter, l'incommodent, et qui troublent votre pays d'une manière fâcheuse pour sa prospérité. Il est plus important que je ne puis vous le dire, que celui qui pourra être chargé de vos intérêts, ne soit pas, par sa position, indifférent au résultat de la Négociation. Si je suis assez heureux pour vous convaincre, je me chargerai volontiers de faire connaître au Gouvernement tout ce que la personne revêtue de votre confiance pourra venir proposer.

Je suis avec respect, &c.

ESMANGART.

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(K.)—*M. Esmangart à M. le Président Boyer.*

MONSIEUR LE PRÉSIDENT,

*Saint-Lô, ce 7 Novembre, 1823.*

Monsieur Laujon, qui remettra cette Lettre à Votre Excellence, est chargé du duplicata de celle que j'ai eu l'honneur de vous écrire après mon entrevue avec M. le Général Boyé, à Bruxelles. M. Laujon vous dira, Monsieur le Président, tout ce que je ne puis vous écrire. Il vous parlera surtout du regret que j'ai éprouvé en voyant manquer une négociation qui devait décider la grande question de l'Indépendance. Il vous dira aussi que les dispositions du Gouvernement sont toutes favorables ; qu'il était fort modéré dans les conditions du Traité que M. le Général Boyé paraissait chargé de conclure ; et que cette modération est une preuve de la volonté qu'il a de finir. Je ne répéterai pas à Votre Excellence ce que j'ai eu l'honneur de lui dire dans mes deux dernières Lettres. M. Laujon a toute ma confiance, il mérite la vôtre par l'attachement qu'il vous porte. Je fais des vœux bien sincères pour être appelé prochainement à conclure le Traité qui fait l'objet de vos désirs, et qui mettrait un terme à toutes les incertitudes. La chose au surplus est entièrement dans vos mains.

Je suis avec respect, &c.

ESMANGART.

(L.)—*M. Esmangart à M. Laujon.**Saint-Lô, le 7 Novembre, 1823.*

PUISQUE vous vous disposez à passer encore une fois les mers, mon cher Laujon, je veux vous mettre à même de causer avec le Président sur l'état de nos affaires avec lui, et sur les dispositions de la France à l'égard d'Haïti.

Je vous ai fait connaître la tentative d'arrangement qui a été faite dernièrement au nom du Président. Vous avez eu connaissance des Lettres que je lui ai écrites pour lui dire ce qui s'était passé; et vous pourrez, mieux que personne, lui dire aussi combien j'ai été désappointé quand, dès le premier quart-d'heure de conférence avec le Général Boyé, j'ai été à même de juger que cette négociation serait sans résultat.

Dès que le Gouvernement fut instruit de l'arrivée du Général Boyé à Amsterdam, il me donna ordre de me rendre à Bruxelles où les conférences devaient avoir lieu: il me remit les pouvoirs les plus étendus pour finir cette affaire. Je ne doutai pas un instant que le Traité ne fût conclu, et qu'un Traité de Commerce ayant pour base l'Indépendance ne fût signé. Je partis de Paris plein d'espérance. Enfin il en a été autrement. Je vous ai donné des détails que je ne répéterai pas ici. Le refus de parler des indemnités arrêta la négociation parce que c'était, et ce sera toujours, une des conditions *sine quâ non* de l'Indépendance. Je revins à Paris, sans faire connaître au Négociateur d'Haïti les conditions bien simples du Traité, puisqu'il lui était défendu, me disait-il, d'en admettre aucune si elles portaient sur des indemnités.

Le Gouvernement avait peu de confiance dans le Négociateur venant d'Haïti. Il avait été informé de sa position critique à Saint-Pétersbourg, de son départ précipité pour *Saint-Domingue*; et tout le portait à croire que son intérêt particulier bien plus que celui de la République l'avait décidé à aller chercher à *Saint-Domingue* une négociation au résultat de laquelle il était étranger.

Si le Gouvernement du Roi n'avait pas eu le désir de traiter, la première Lettre du Négociateur d'Haïti lui aurait fourni un excellent prétexte pour refuser d'entrer en négociation. Le Général Boyé croyait probablement nous y contraindre en annonçant que si cette négociation n'était pas terminée dans un mois, le Président était décidé à rompre. Le moment était mal choisi pour faire des menaces à la France. Le Général Boyé répétait aussi dans sa Lettre d'introduction, toutes les sornettes que quelques transfuges mécontents ont débitées souvent à *Saint-Domingue* sur les dispositions de la France, et surtout sur les projets hostiles qu'on ne cessait, disait-il, d'avoir contre le Président; il ne citait, cependant aucun fait.

Ce qui vient de se passer en Espagne doit répondre assurément à

tout cela ; et il doit être bien démontré aux détracteurs de la France, comme il l'est au monde entier, que, si elle avait eu des projets hostiles contre Haïti, elle les aurait exécutés. Enfin, malgré l'inconvenance de ces allégations, le Gouvernement consentit à me faire partir pour Bruxelles. Il connaissait la prudence du Président, et il se ressouvint de la sagesse qu'il avait montrée, après l'Equipée de Samana. L'estime qu'on lui porte fit attribuer au Négociateur seulement l'inconvenance des phrases qui pouvaient choquer ; et le Ministre se borna à me dire dans ses instructions :

*“ Vous ferez sentir au Général Boyé que si telle était l'opinion du Chef actuel de Saint-Domingue, sur ce qui touche aux dispositions du Gouvernement Français, il y aurait peu d'espoir de s'entendre : car, pour s'entendre, il faut absolument une confiance réciproque, et la méfiance appelle le soupçon.”*

Il était difficile assurément de répondre avec plus de modération à une injure dont un Négociateur vient vous saluer pour premier compliment. Je ne vous cite cela que pour vous mettre à même de prouver quelles étaient et quelles sont encore les dispositions du Roi.

M. le Général Boyé disait aussi au Ministre *qu'il avait ordre de ne pas cacher qu'il ne tenait qu'au Président de terminer avec d'autres Puissances des Négociations dont la conclusion ne pourrait qu'affecter essentiellement les intérêts du Commerce Français.*

Ceci ne nous avait pas touché du tout. La France n'a besoin de personne pour défendre ses droits. Les Traités que le Président pourrait faire avec d'autres Puissances, ne changeront ni sa position, ni celle de la France, et ne pourraient augmenter en rien la sécurité d'Haïti pour l'avenir. Je crains d'ailleurs que le Président n'ait été trompé sur les prétendues dispositions de certaines Puissances ; et nous en savons, à cet égard, autant au moins que ceux qui vont porter ces nouvelles à *Saint-Domingue*. Vous pouvez, au surplus, vous abstenir de causer de ceci, qui n'eut été d'aucune considération pour moi si la Négociation avait été suivie.

J'aime à croire encore que tout n'est pas rompu, et que le Président, mieux conseillé, reviendra aux dispositions qu'il m'avait annoncées dans la Lettre de M. Aubert ; et alors je ferais reprendre la Négociation. S'il prend ce parti, il ferait bien d'envoyer, comme il vient de le faire, par la Hollande, et je m'y rendrais. La chose devrait être tenue secrète ; c'est le moyen d'éviter toutes les intrigues et souvent des entraves qu'on rencontre dans toutes les Négociations, quand elles sont divulguées.

La personne qu'enverrait le Président, pourrait écrire soit au Ministre de la Marine, soit à moi directement, à Saint-Lô, pour nous prévenir de son arrivée. Je sais bien que la Négociation serait plus facile à *Saint-Domingue* même, parce que là, s'il survenait quelques difficultés, on pourrait sur le champ les résoudre tandis qu'un Négociateur



ciateur, dont les pouvoirs ont toujours une limite, peut se trouver arrêté : mais on peut répondre à cela que le Négociateur qui irait à *Saint-Domingue*, serait aussi loin de la France que celui qui viendrait ici le serait d'Haïti. Au surplus, le Président vous dira peut-être ce qu'il pense là-dessus ; mais, dans tous les cas, on ne pourrait proposer ici au Gouvernement d'envoyer, que quand quelqu'un serait venu d'Haïti convenir et arrêter les bases du Traité ; et la France n'enverrait qu'autant qu'il n'y aurait plus, pour ainsi dire, qu'à fixer la quotité des indemnités, et à échanger les Traités.

Je n'entre pas dans d'autres détails, mon cher Laujon. Je vous recommande seulement de vous abstenir de parler à qui que ce soit de la Négociation de Bruxelles. Vous n'en parlerez qu'au Président, à moins que celui-ci ne l'ait rendue publique ; et encore vous ne devez en parler qu'avec la plus grande circonspection.

Vous pouvez, au surplus, donner au Président l'assurance que le Gouvernement du Roi sait apprécier toutes ses bonnes qualités ; qu'il a pour lui un fond d'estime qui n'a pas peu contribué à ses dispositions pacifiques. Que le Gouvernement ne sera pas plus exigeant aujourd'hui qu'il ne l'aurait été il y a deux ans ; que ses demandes seront simples, justes, modérées ; mais qu'il veut absolument en finir.

Vous lui direz aussi que, malgré le peu de confiance qu'il m'a montré, je ne continuerai pas moins à diriger cette affaire dans le sens le plus pacifique ; que j'y vois l'intérêt des deux pays ; et que si, au lieu de s'adresser à des gens que le Gouvernement ne pouvait entendre, il s'était franchement adressé à moi, peut-être depuis longtemps tout serait terminé ; que je ne pouvais prendre l'initiative ici, puisque j'ignorais ce qu'il disait à d'autres. Vous lui répéterez bien que, quelque chose qu'on ait pu lui dire, jamais à aucune époque, depuis ma Mission, le Gouvernement n'a eu la moindre idée d'hostilité ; qu'aujourd'hui l'affaire de *Saint-Domingue* est la seule à finir pour la France ; que le Gouvernement veut qu'elle se termine ; et que, comme il sera très-modéré dans ses demandes, il est bien certain que le sort du Pays que le Président gouverne, est aujourd'hui dans ses mains.

Vous me donnerez exactement de vos nouvelles ; et, si les choses prennent une tournure favorable, et si vos affaires vous permettent de revenir plus tôt que votre navire, je vous engage à le faire, parce qu'alors j'agirai en conséquence des nouvelles que vous me rapporterez.

Il ne me reste plus, mon cher Laujon, qu'à vous souhaiter un bon voyage, et à vous réitérer l'assurance de mon bien véritable attachement.

ESMANGART.

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(M.)—*Le Président Boyer à Monsieur Esmangart.*

MONSIEUR LE PREFET,

*Port-au-Prince, le 4 Février 1824.*

LES Lettres que vous m'avez écrites concernant la Mission du Gé-

néral Boyé, et les pièces y relatives que vous m'avez adressées, me sont parvenues. J'y ai porté toute l'attention qu'exige une affaire de si haute importance, et je vais vous répondre avec la franchise qui me caractérise.

Je dois vous dire d'abord que j'avais l'âme ulcérée lorsque vos derniers paquets me parvinrent; mais qu'ils m'ont fait le plus grand plaisir, parce qu'ils ont dissipé de funestes préventions que des rapports multipliés, que je venais de recevoir d'Europe, avaient fait naître ici. En effet, alors même que Haïti avait donné des preuves répétées de loyauté, la France, disait-on, accélérât des préparatifs hostiles destinés contre ce Pays. Des Communications positives, assurait-on, faites par des Membres du Gouvernement Français, ne permettaient pas d'avoir aucun doute à cet égard. Vous concevez combien, dans un tel état de choses, les esprits ont dû être exaspérés. D'ailleurs, vous ne l'ignorez pas, il est naturel que le peuple prenne l'alarme, lorsque, pour compensation de sa bonne foi, on lui annonce de pareilles dispositions.

Je conviendrais pourtant qu'il m'a été pénible de penser que l'Auguste Souverain de la France dont le règne est si glorieux, eût donné son assentiment à une résolution que la Providence ne peut approuver. La religion et les profondes lumières de Sa Majesté Très-Chrétienne doivent donner lieu à d'autres espérances.

C'est avec de vifs regrets, je l'avouerai aussi, que j'ai appris le mal-entendu qui a eu lieu dans vos conférences avec le Général Boyé. Cette circonstance a été d'autant plus facheuse, que l'époque où elle a eu lieu coïncidait à celle où l'on me transmettait les graves informations dont je viens de vous entretenir; ce qui naturellement devait ajouter, par induction, à la nature de leur importance, et leur donner une plus grande apparence de crédibilité.

Cependant, Monsieur le Préfet, j'aime à vous le répéter, je suis toujours dans les mêmes intentions de traiter sur les bases expliquées dans mes Dépêches des 10 et 16 Mai 1821, dont vous m'avez rappelé un paragraphe dans une de celles que vous m'avez adressées. Mes principes sont invariables et mes devoirs sont sacrés: je n'y manquerai jamais.

M. Laujon, qui m'a remis vos paquets, a été très-bien accueilli; il est chargé de vous remettre la présente.

Ainsi, vous me la confirmez, tout étant disposé pour la conclusion de la reconnaissance de l'Indépendance d'Haïti, nul obstacle ne doit plus retarder ce grand œuvre. Je vais donc, pour cet important objet, envoyer un Négociateur chargé des pouvoirs nécessaires. Déjà je me félicite des bienfaits qui seront le résultat de ce Traité en faveur des deux Pays; et vous-même, je n'en doute pas, vous trouverez dans

votre cœur de bien grands motifs de satisfaction de vos nobles et constants efforts pour y parvenir.

Agréez, Monsieur le Préfet, une nouvelle assurance, &c.

BOYER.

(N.)—*M. le Président aux Citoyens Larose, Sénateur; et Rouanez, Notaire du Gouvernement.*

CITOYENS,

*Port-au-Prince, le 28 Avril 1824.*

Après avoir considéré la situation politique où la République se trouve placée vis-à-vis du Gouvernement Français, j'ai jugé à propos de faire des Ouvertures Officielles au Roi Très-Chrétien à l'effet d'obtenir de Sa Majesté la reconnaissance, en forme authentique, de l'Indépendance du Peuple Haïtien, et de parvenir ensuite à la conclusion d'un Traité de Commerce entre la France et Haïti.

Si cette démarche est suivie d'un heureux succès, j'aurai couronné le grand œuvre de notre émancipation, j'aurai fermé les portes de la guerre, j'aurai agrandi la sphère de notre industrie et de notre prospérité. Si au contraire l'événement trompait mon attente, le monde ne pourrait me reprocher d'avoir, par indifférence, frustré mon Pays du bien qui pouvait en résulter.

Connaissant vos vertus patriotiques, et plein de confiance en vos lumières et en votre prudence, je vous ai choisis et désignés pour être les Négociateurs de cette importante affaire.

En conséquence, vous partirez de ce port, sous le plus bref délai, pour vous rendre à Paris, et vous y aboucher avec les Agens de Sa Majesté Très-Chrétienne, afin de fixer et arrêter, de concert avec eux, les bases sur lesquelles doivent être fondés la reconnaissance de l'Indépendance d'Haïti, et le Traité de Commerce qui existera entre les deux Nations, pour leur avantage respectif.

Aux effets que dessus, je vous donne, par la présente Lettre de Créance, tous pouvoirs nécessaires, pourvu que vous vous conformiez en tout aux Instructions qui l'accompagnent, et que vous n'outrepassiez point les limites dans lesquelles elles circonscrivent l'étendue de ces mêmes pouvoirs; vous promettant solennellement, ainsi qu'à tous ceux qu'il appartiendra, de ratifier et confirmer, d'exécuter, et faire exécuter, tout ce qu'en vertu de la présente et des susdites Instructions, vous aurez définitivement arrêté.

Je prie Dieu qu'il vous ait en sa sainte garde.

BOYER.

(O.)—*INSTRUCTIONS du Président Boyer.*

*Aux Citoyens Larose, Sénateur ; et Rouanez, Notaire du Gouvernement, chargés de Mission près le Gouvernement de Sa Majesté Très-Chrétienne, par Lettres de Créance, en date de ce jour, afin de traiter de la Reconnaissance de l'Indépendance d'Haïti et d'arrêter les bases d'un Traité de Commerce.*

CITOYENS,

Port-au-Prince, le 28 Avril 1824

LES événements qui ont préparé et amené l'Indépendance d'Haïti sont trop présents à votre mémoire pour qu'il soit nécessaire d'en faire ici l'énumération. Il me suffira de vous rappeler que la Déclaration de notre Indépendance, qui date du 1 Janvier 1804, fut provoquée par une multitude d'actes de cruauté exercés contre les Haïtiens avec une violence qu'il ne leur était plus possible de supporter.

Je n'ignore pas que le Monarque qui régne aujourd'hui sur la France, n'est pour rien dans nos malheurs ; et je me plais à croire que toutes les fois qu'il porte sa royale pensée vers notre beau pays, il soupire du regret de n'avoir pas eu dans les temps, comme présentement, le pouvoir d'arrêter le cours des fléaux qui l'ont désolé.

Mais le souvenir du passé a rendu le Peuple Haïtien ombrageux sur tout ce qui regarde son existence nationale ; et rien désormais n'est capable, je ne dis pas de détruire, mais d'ébranler même dans son esprit cette conviction intime, fruit d'une triste expérience, *qu'il ne peut y avoir de garantie pour la conservation de ses droits civils et politiques, que dans une Indépendance absolue de toute Domination Etrangère, de toute espèce de Suzeraineté, même de tout protectorat d'une Puissance quelconque, en un mot, que dans l'Indépendance dont il jouit depuis vingt ans.*

Ces vérités reconnues et admises, il sera facile d'arriver à la conclusion de l'œuvre par lequel Sa Majesté Louis XVIII ajoutera à la Couronne d'Immortalité qui lui est déjà assurée, un nouveau titre de gloire plus précieux que tous les autres aux yeux de la religion et de l'humanité, en aimant mieux renoncer de lui-même à une portion de l'héritage de ses ancêtres, que de commettre la vie de ses sujets aux hasards d'une guerre lointaine et à la malignité d'un climat vengeur ; en préférant participer, par les échanges du commerce, à la fertilité d'un des plus féconds terroirs qui soient sous le soleil, plutôt que d'y dominer même mais sur des ruines et des cendres stériles ; en mettant son honneur à cicatiser et non à rouvrir les plaies d'une Nation qui fut si cruellement maltraitée, si indignement outragée. Enfin, en ayant plus à cœur de voir tout un peuple chrétien adresser au Souverain Maître du Monde, un concert unanime de vœux, pour la prospérité de son règne, que de l'entendre maudire le jour où le Pavillon Français apparut dans ses ports.



## ARTICLE PREMIER.

Le premier Acte que vous devrez réclamer, avant même de convenir des principaux points du Traité de Paix et de Commerce, sera une Ordonnance Royale, par laquelle Sa Majesté Très-Chrétienne reconnaitra que le Peuple Haïtien est libre et indépendant, et qu'elle renonce, dès ce moment et à toujours, tant pour elle que pour ses successeurs, à toutes prétentions de la France, de dominer sur l'Île d'Haïti, appelée par les uns *Saint-Domingue*, et par les autres *Hispaniola*.

Je dois vous prévenir que cette forme de déclaration est la seule qui puisse dissiper tous les nuages de la méfiance dans l'esprit d'un peuple qui a sans cesse présent à la pensée, le souvenir amer de ce qui lui en a coûté pour s'être abandonné trop légèrement à sa crédulité.

Au reste, le caractère connu du Monarque Français ne me permet pas de présumer la moindre hésitation de sa part, à accorder l'Acte dont il s'agit, et sans lequel le but proposé ne saurait être parfaitement atteint.

ART. II L'Ordonnance Royale une fois obtenue, vous serez autorisés à convenir, qu'en témoignage de la satisfaction du Peuple Haïtien, pour l'acte de philanthropie et de bienveillance émané de Sa Majesté Très-Chrétienne, il sera accordé par le Gouvernement d'Haïti au Gouvernement Français, en forme d'indemnité, une somme de..... laquelle sera comptée en Haïti ou en France, en cinq termes et paiements égaux, d'année en année, soit en espèces métalliques ayant cours de monnaie dans la République ou à l'étranger, soit en denrées du Pays, aux Agents préposés par le Gouvernement Français pour cette perception.

Je ne saurais trop vous répéter que le sacrifice que fait la République en faveur de la France, n'a d'autre but, d'autre fin que de manifester d'une manière éclatante, la satisfaction des Haïtiens d'avoir obtenu, de Sa Majesté Très-Chrétienne, par un Acte formel et légal, l'approbation et la confirmation de l'état de choses, dans lequel des événements extraordinaires les ont placés, et dont ils sont en possession depuis un laps de temps qui semble leur avoir acquis une prescription suffisante contre toute réclamation.

ART. III. Le Gouvernement d'Haïti voulant en outre donner à celui de France une preuve de sa cordialité, vous autorise à déclarer et convenir (après que les deux Premiers Articles auront été fixés) que les bâtimens de commerce des sujets de Sa Majesté Très-Chrétienne seront admis dans les ports du commerce extérieur de la République, avec les mêmes égards que ceux des autres Nations en rapport avec Haïti, et que toutes les marchandises ou productions de la France, dont l'entrée sera permise par les Lois locales, ne seront assujéties qu'aux droits d'importation que paient ou paieront les productions et marchandises des Nations les plus favorisées dans la République.

Il faudra ici faire remarquer de quelle importance sera cette concession pour le Commerce Français ; car la seule diminution sur les droits d'entrée procurera à la France un bénéfice réel, qui permettra à ses manufactures de présenter leurs produits sur les marchés d'Haïti, sans craindre aucune concurrence, en même temps qu'elle sera un sacrifice de plus de la part de la République.

ART. IV. En réciprocité d'une concession si favorable, vous devrez obtenir du Gouvernement Français que les denrées fabriquées en Haïti, telles que sucre, café, coton, indigo, cacao, et autres objets de commerce du crû de la République, qui seront importés dans le Royaume de France, soit par Navires Français, soit par Navires Haïtiens, ne paieront d'autres ni plus grands droits d'entrée que ceux auxquels sont ou seront assujétis les mêmes articles venant des possessions transatlantiques de Sa Majesté Très-Chrétienne, avec la faculté de l'entrepôt pour ceux des produits qui ne pourront ou ne devront pas être consommée dans le Royaume de France, mais qui de là seront transportés dans les diverses parties de l'Europe.

Il n'échappera pas aux Diplomates Français que le résultat de cette concession accordée au Peuple Haïtien par Sa Majesté Très-Chrétienne, tournera presque en entier au profit de la France, parce que d'abord son commerce maritime prendra, en peu de temps, une grande extension ; et qu'ensuite, par l'égalité de droits, le prix de nos denrées qui devront être consommées en France, sera réduit pour la facilité du consommateur.

Il est donc à présumer que vous n'éprouverez aucune difficulté pour parvenir à fixer l'arrangement des deux Articles précédens, dont l'observation ponctuelle de part et d'autre sera un aliment à la bonne intelligence des deux peuples.

ART. V. Vous devrez après stipuler que, dans tous les cas de guerre entre la France et d'autres Etats ou Puissances Maritimes, le Gouvernement d'Haïti conservera la plus parfaite neutralité ; et que, le cas échéant de ces guerres, il sera observé en Haïti ce qui se pratique ordinairement chez les Nations neutres.

Le Peuple Haïtien ayant proclamé à la face du ciel et de la terre, que, satisfait de son indépendance nationale, il ne se mêlerait jamais d'aucune querrelle extérieure aux rives qui bordent son Ile, ne peut, dans aucun cas, manquer à son serment ; et l'on demanderait en vain qu'il prit part, sous aucun prétexte aux débats ou dissensions des autres peuples ; car, bornant toute son ambition à s'occuper du perfectionnement de son agriculture et de sa police, toutes les stipulations qu'il consentira par la suite ne seront jamais que relatives à ce qui concerne directement les intérêts intérieurs de l'état.

Il conviendra aussi de spécifier que les bâtimens de guerre de Sa Majesté Très-Chrétienne seront admis partiellement, dans les ports ouverts d'Haïti, pour se rafraichir, s'approvisionner, ou se réparer ;

mais que, dans aucun cas, les escadres et flottes de guerre ne pourront y entrer.

ART. VI. Le Gouvernement de la République accueillera avec plaisir dans la Capitale un Chargé d'Affaires ou Consul-Général, et, dans ses différents Ports ouverts, des Agents Commerciaux, nommés par Sa Majesté Très-Chrétienne, pour veiller aux droits de ses sujets commerçant en Haïti. En retour, le Gouvernement de la République demandera qu'il soit admis à Paris un seul Agent Haïtien, pour faire au Gouvernement Français, lorsque les circonstances se présenteront, les communications qui pourraient intéresser la prospérité des deux Nations, la bonne intelligence qui doit désormais exister entr'elles, et l'entier accomplissement ou la parfaite exécution de tout ce qui sera convenu et arrêté.

La conduite loyale qu'a constamment tenue le Gouvernement, depuis la fondation de la République; le respect inviolable qu'il a toujours porté au droit des gens, ne peuvent laisser aucun doute sur sa bonne foi; et il est fondé à attendre, de la part du Gouvernement de Sa Majesté Très-Chrétienne, une égale réciprocité de loyauté et de franchise. C'est pourquoi vous demeurez autorisés à promettre qu'en toutes circonstances, après que les Conventions seront arrêtées et signées, le Gouvernement d'Haïti s'attachera, avec une scrupuleuse délicatesse, à exécuter ponctuellement tout ce qui résultera du Traité basé sur les présentes instructions; et que, si (ce qu'à Dieu ne plaise) des difficultés survenaient dans l'exécution des clauses ou stipulations arrêtées, la bonne foi, la loyauté, et la plus grande bonne volonté seront employées de la part du Gouvernement d'Haïti, pour faire disparaître les mal-entendus, comme il espère trouver dans le Gouvernement Français la même droiture et les mêmes sentiments.

Aussi il ne sera et ne devra point être demandé d'autres garanties pour l'exécution de tout ce qui aura été convenu, que l'honneur des deux Peuples et l'inébranlable constance de leurs Gouvernements respectifs dans les principes de justice et d'équité.

Telles sont, Citoyens, les Instructions qui limitent vos pouvoirs dans l'importante Mission qui vous est confiée: instructions auxquelles vous ne dérogez point, mais voudrez bien vous conformer, en vous conduisant toujours d'après l'esprit qui les a dictées.

Sur ce, me reposant en votre zèle et en votre prudence, je prie Dieu qu'il vous ait en sa sainte garde.

Donné au Palais National, &c.

BOYER.

(P.)—*M. de Laujon à M. le Président d'Haïti.*

MONSIEUR LE PRESIDENT,

*Hâvres le 31 Mars 1824.*

JE m'empresse d'annoncer à Votre Excellence que j'ai mouillé en rade de ce Port, dans la nuit du 22 de ce mois, après un naufrage af-

freux qui a été suivi, à cinq jours de là, de l'événement le plus heureux et le plus extraordinaire qu'il nous fût permis d'espérer; mais je m'abstiens en ce moment de ces détails, pour ne vous faire part que des informations que je sais devoir plus particulièrement vous intéresser.

J'ai été extrêmement favorisé pour mon débarquement, aussitôt mon entrée dans ce Port, et ne me suis occupé, après avoir écrit au Ministre, que des moyens de me rendre sur-le-champ à Saint-Lô, pour remettre à M. Esmangart ce dont j'étais chargé pour lui de la part de Votre Excellence, et qui ne me quitta jamais au milieu des plus grands dangers. Je partis le 23 pour cette destination, et j'y arrivai le 24. Je fus reçu de lui comme je m'attendais à l'être; il prit lecture de mes Papiers et m'en témoigna son entière satisfaction. Il avait reçu celle que je lui avais adressée le 29 Janvier, et dont Votre Excellence doit se rappeler que je lui donnai connaissance; ensorte qu'il était déjà préparé à toutes les nouvelles que je lui apportais. Il jugea qu'il était indispensable que je ne fisse chez lui qu'un fort court séjour, et que je retournasse de suite au Havre, pour y attendre l'arrivée de l'Envoyé de Votre Excellence, et y suivre les instructions qu'il me donnerait de Paris, où il allait se rendre lui-même le lendemain. Je le quittai le 25 au matin, et le 27 j'arrivai au Havre, où j'appris que le navire que j'attendais n'était pas arrivé.

Durant les quatre jours d'absence que je venais de faire, un navire, dont la destination était pour Jacmel, avait mis à la voile, et je fus au désespoir d'avoir manqué cette occasion, pour apprendre mon arrivée à Votre Excellence.

Aujourd'hui, 31 du courant, je reçois une lettre de M. Esmangart, par laquelle il m'informe que les dispositions du Gouvernement, dont vous avez parfaite connaissance, n'ont pas et n'ont pu changer, et qu'il considère les choses comme devant avoir la plus heureuse terminaison.

Les vents ne se trouvant pas en ce moment favorables aux arrivages, on m'a laissé la liberté d'aller passer vingt-quatre heures à Paris, que j'emploierai à voir ma famille ainsi que les Ministres. Je reviendrai de suite ici pour m'y trouver à l'arrivée du navire *le Charles*, sur lequel l'Envoyé de Votre Excellence a dû s'embarquer. Je partirai avec lui pour Rouen, aussitôt son débarquement, et je recevrai dans cette Ville les instructions qui me seront envoyées de Paris, pour me faire connaître où nous devons nous rendre. Nous trouverons M. Esmangart au lieu qui nous aura été désigné, et qui ne sera probablement pas hors de France. C'est là où, comme je ne puis pas en douter, d'après les excellentes dispositions qui m'ont été témoignées par Votre Excellence, se terminera la grande et importante affaire.

S'il arrivait, contre mon attente, que *le Charles* arrivât dans les trois ou quatre jours d'absence que je vais faire, M. Edouard Bonafé,



après avoir fait donner à l'Envoyé de Votre Excellence toutes les facilités possibles de prompt débarquement, par le Commissaire Général de la Marine qui est déjà prévenu à ce sujet, l'accompagnerait à Rouen, et resterait avec lui jusqu'à mon arrivée.

J'ai lieu de croire que Votre Excellence sera satisfaite de tous ces détails, et la prie de vouloir bien recevoir la nouvelle assurance, &c.

A. DE LAUJON.

(P.)—*M. de Laujon à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT,

*Hâvre, le 5 Avril 1824.*

J'ARRIVE de Paris; et comme à mon retour au Hâvre, j'y ai retrouvé *le paquet* que j'avais eu l'honneur d'adresser à Votre Excellence, et que je supposais devoir être parti durant mon absence, je l'ai décacheté pour y inclure quelques mots d'une date un peu plus fraîche que la dernière.

Je m'en étais parfaitement rapporté à ce qui m'avait été annoncé ici par Monsieur Esmangart, touchant la satisfaction du Gouvernement sur l'état présent des choses avec Haïti, et la certitude qu'il m'avait donnée que les dispositions étaient toujours aussi parfaites qu'avant mon départ pour le Port-au-Prince: cependant, je sentais qu'il manquait encore à la joie que j'en avais ressentie, celle d'apprendre par moi-même la confirmation d'une nouvelle aussi intéressante, et c'est, Monsieur le Président, ce qui vient d'avoir lieu durant le court séjour que j'ai fait à Paris.

J'ai reçu des Ministres du Roi l'accueil le plus flatteur; et ils ont eu la bonté de me croire beaucoup plus de mérite que je n'en ai assurément, car tout s'est fait par vous, Monsieur le Président, et par la seule confiance que j'ai, à la vérité, été assez heureux pour vous inspirer, et qui ne sera pas trompée: Votre Excellence peut en être assurée.

Beaucoup de gens, animés par des vues d'intérêts bien différents de ceux du Gouvernement, ont fait et font encore des efforts inouïs pour déraciner le fondement d'une si belle œuvre, et donner à la direction de cette affaire un cours tout-à-fait opposé à celui qui doit être suivi; mais ils ont complètement échoué, et ils échoueront toujours. Le Gouvernement, ferme dans les excellentes dispositions qu'il a prises, fait fort peu d'attention à toutes les intrigues et à toutes les manœuvres qui, ne s'accordant pas avec ses vues, sont très-assurées de ne pas obtenir son assentiment.

Nous attendons, avec une impatience que je ne puis vous décrire, l'arrivée du navire *le Charles*, sur lequel l'Envoyé de Votre Excellence doit se trouver. Et les choses iront au plus vite: vous pouvez y compter.

J'ai l'honneur d'être, &c.

A. DE LAUJON.

(P.)—*M. de Lanjon à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT,

*Hâvre, le 7 Avril 1824.*

J'AI eu l'honneur d'écrire deux Lettres à Votre Excellence, par le navire *l'Alexandre*, qui est parti avant hier de ce port pour le Port-au-Prince.

Par la première du 31 Mars, je l'informais de mon arrivée et lui donnais quelques détails sur le naufrage que j'ai fait sur le navire *le Voltaire*, à bord duquel je m'étais embarqué, le 5 Février dernier. Elle aura pu y reconnaître le grace véritablement céleste, qui a permis que je fusse sauvé d'un pareil danger et que je le fusse par un bâtiment également parti du Port-au-Prince, quelques jours après nous, et qui avait notre même destination; en sorte que rien n'eut à souffrir des grands intérêts dont je me trouvais chargé.

J'ai dit à Votre Excellence, que je n'avais fait que poser au Hâvre, où le Commissaire Général de la Marine avait mis le plus grand zèle à faciliter mon prompt débarquement, et que j'étais parti de suite pour Saint-Lô, où j'étais certain d'être vivement attendu, par la raison que les lettres que j'avais écrites du Port-au-Prince à la fin de Janvier, lettres que vous connaissiez et que j'avais confiées au Capitaine du *Grand Amédée*, étaient parvenues à leur destination. De Saint-Lô, Monsieur Esmangart m'avait promptement renvoyé au Hâvre, pour y recevoir l'Envoyé de Votre Excellence qui était attendu par le *Charles*, et me rendre avec lui d'abord à Rouen, ensuite au lieu qui me serait indiqué. Monsieur Esmangart devait quitter Saint-Lô quelques heures après moi, et faire toute diligence pour Paris.

La première Lettre que je reçus de lui le lendemain de son arrivée, me confirma les instructions qu'il venait de me donner, et m'annonça la satisfaction du Gouvernement, au sujet de ce qui s'était passé à *Saint-Domingue* entre Votre Excellence et moi; ce qui me fit un extrême plaisir: enfin, il me manquait que, si je prévoyais avoir le temps de venir à Paris pour n'y passer que 48 heures, j'y serais fort bien reçu, et que ce voyage pourrait avoir des résultats avantageux. Je ne tardai pas à me rendre à cette invitation, qui sous plusieurs rapports m'était on ne peut plus agréable, ne m'étant pas encore rapproché de ma famille.

J'ai par ma Lettre du 5 Avril, après mon retour de Paris, fait connaître à Votre Excellence, combien j'avais véritablement à me féliciter de ce voyage dans la Capitale; et je ne puis comparer la satisfaction qu'il m'a fait éprouver, qu'à celle dont j'ai toujours joui avec vous, Monsieur le Président, pendant mon dernier séjour au Port-au-Prince. Tout est franchise et loyauté dans cette affaire, n'en doutez pas un seul instant. Je vous ai parlé avec la ferme assurance qu'inspirent de pareils sentiments. Je vous ai supplié de repousser loin de vous toutes les suggestions malveillantes dont vous étiez accablé, et de les remplacer par la confiance la plus intime dans les dispositions qui vous

étaient annoncées, et qui devenaient sacrées dans leur exécution dès l'instant qu'elles émanaient du Gouvernement de Sa Majesté. Ce que je vous ai affirmé à *Saint-Domingue*, je vous l'affirme aujourd'hui en France. Je n'ai pas écrit un mot lorsque j'étais près de vous qui n'ait reçu l'assentiment de Votre Excellence, et je n'ai pas proféré ici une seule parole qui ne soit sortie de votre bouche. Tout est vrai dans ce qui a été dit et écrit ; et c'est là ce qui doit être une garantie positive des succès que vous avez lieu d'espérer, et dont nous partagerons avec vous toute la satisfaction.

Tout est prêt pour recevoir Votre Envoyé, à qui nous présumons aujourd'hui 42 à 43 jours de traversée sur *le Charles* : tout est disposé pour que la plus grande célérité dans cette affaire réponde à vos désirs ainsi qu'à ceux du Gouvernement ; et tout doit nous faire espérer que nous se serons pas long-temps ensuite à nous rendre près de Votre Excellence.

Veillez permettre, Monsieur le Président, que les sentiments que vous inspirez et que vous m'avez mis à même de si bien apprécier, s'ajoutent au très-profond respect avec lequel j'ai l'honneur d'être, &c.

A. DE LAUJON.

(P.)—*M. de Laujon à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT,

*Hâvre, le 18 Avril 1824.*

VOTRE Excellence a dû recevoir les diverses Lettres que j'ai eu l'honneur de lui écrire à la date des 31 Mars, 5 et 7 Avril, par les deux navires *l'Alexandre* et *le Mercure*, du Hâvre.

Ces Lettres lui ont fait connaître la bonne et bien satisfaisante réception qui m'avait été faite à mon arrivée par Monsieur Esmangart, ainsi que par les Ministres du Roi pendant mon court séjour à Paris.

Je n'y avais été que pour y rester 48 heures, d'après la permission qui m'en avait été donnée, et je m'étais empressé de revenir ici prendre mon poste, afin de m'y trouver à l'arrivée de l'Envoyé de Votre Excellence, et le conduire avec moi au lieu qui devra m'être désigné, lieu auquel Monsieur Esmangart se rendra lui-même. Rien n'a changé depuis la date de ma dernière Lettre ; seulement, Monsieur Esmangart a été nommé à la Préfecture du Bas-Rhin, en échange de celle de la Manche : mais ce changement, qui a eu lieu entièrement dans ses intérêts, n'apportera aucune entrave à la suite de nos affaires. Sa dernière lettre de Paris, au moment où il montait en voiture pour aller prendre sa famille à Saint-Lô, et la mettre en route pour Strasbourg, m'annonçait que tout était toujours dans le même état de perfection, et que l'on attendait que mes nouvelles annonçassent l'arrivée du *Charles* avec la Personne qui doit se trouver à son bord. Ce navire dont nous avons, par la Nouvelle-Angleterre, avis du départ du Port-au-Prince, le 23 Février au matin, a aujourd'hui 56 jours de traversée, et c'est un temps énorme pour un navire d'aussi bonne marche et

aussi bien commandé. Je suis dans les angoisses, Monsieur le Président ; et si, d'ici à plusieurs jours il ne paraît pas, mes inquiétudes seront au comble. L'exactitude que je mettrai à profiter de toutes les occasions pour vous écrire vous tiendra parfaitement au courant. Il n'y a de ma part aucun mystère dans cette Correspondance qui n'est nullement ignorée. Je la considère dans l'état présent des choses comme pouvant être satisfaisante pour Votre Excellence ; elle est à mes yeux un nouveau gage de la confiance que je me suis efforcé de vous inspirer, et à laquelle vous avez daigné répondre avec tant de bonté : or, tout cela est bien vu, et bien conçu.

Je crains beaucoup, Monsieur le Président, que des nouvelles qui viennent de nous parvenir ici de Saint-Thomas, d'où on les avait fait passer de suite à Santo-Domingo et au Port-au-Prince, n'aient produit chez vous un fort mauvais effet. Ces nouvelles, soi-disant venues de la Martinique, annonçaient qu'il y était arrivé une Escadre considérable à bord de laquelle se trouvaient vingt mille hommes de troupes et huit Généraux ; lesquelles forces, disait-on également, ne pouvaient être destinées que contre *Saint-Domingue*. Rien de plus absurde que ces nouvelles ; il est arrivé à la Martinique deux mille hommes et quelques bâtimens de guerre, voilà à quoi se réduit cet envoi si redoutable. Je n'ai assurément pas la crainte que Votre Excellence y ait donné la moindre foi ; mais tout le monde n'a pas le bonheur de juger sainement des choses comme elle le fait.

Je désire de toute mon ame, Monsieur le Président, que ma première Lettre soit pour moi une occasion de faire connaître à Votre Excellence tout le soulagement ainsi que toute la joie que j'éprouve à lui annoncer l'arrivée de son Envoyé.

J'ai l'honneur d'être, &c.

A. DE LAUJON.

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(P.)—*M. de Laujon à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT,

*Hâvre, ce 26 Avril, 1824.*

A l'exception d'un navire qui est parti pour Jacmel, durant la très-courte absence que j'ai faite, aussitôt mon arrivée dans ce port, pour me transporter de suite à Saint Lô, il n'est pas une occasion qui se soit offerte pour *Saint-Domingue* dont je n'aie profité pour avoir l'honneur d'écrire à Votre Excellence ; et j'aurai toujours l'attention de lui rappeler ces diverses occasions, afin qu'elle puisse savoir si elle n'aurait pas quelques lettres en retard, ce qui ne pourrait arriver cependant, que dans le cas où il serait survenu quelques malheurs à ces bâtimens, car toutes mes lettres sont ici confiées aux Capitaines par le Commissaire Général de la Marine, et ils en donnent un reçu, s'obligeant de les remettre eux-mêmes à Votre Excellence. Les navires par lesquels j'ai jusqu'ici écrit, et les seuls qui soient partis, sont *l'Alexandre*, le *Mercur*, et le *Courier de Jacmel*.



Nous avons eu, depuis ce dernier départ, l'arrivée du *Charles*, si long-temps attendu par moi, Monsieur le Président, et qui m'a donné le chagrin de n'y pas voir, comme passager, la Personne que Votre Excellence doit envoyer. Le Capitaine, qui a été prévenu par le Commandant de port de se rendre sur-le-champ près de moi aussitôt son arrivée, m'a beaucoup soulagé en me faisant connaître ce qui lui avait été dit par Votre Excellence avant son départ, et ce qu'il était chargé par elle de me répéter. Je suis convaincu, Monsieur le Président, que vous n'avez pu avoir que d'excellents motifs pour différer de quelques jours l'envoi de cette Personne par un autre bâtiment : mais une affaire d'un si haut intérêt gagne toujours à ne pas être différée ; et, quoique rien ne soit absolument changé dans les dispositions qui doivent assurer son succès, c'est un bien réel qu'elle ne soit soumise à aucun retard. Votre Excellence pense comme moi, j'en suis certain. Enfin, c'est aujourd'hui, ou sur la *Virginie*, ou sur le *Télégraphe*, que doivent se reporter toutes mes espérances, car ces bâtiments sont les seuls qui se trouvaient sur la rade du Port-au-Prince en destination pour le Havre, lors du départ du *Charles*, et ils doivent mettre à la voile dans les premiers jours de Mars.

Il y a une heure environ que le Commissaire-Général de la Marine a passé chez moi, pour m'annoncer qu'il avait avis que le *Télégraphe* venant du Port-au-Prince, était entré en relâche à Cherbourg, à 30 lieues environ de ce port ; que ce bâtiment avait deux passagers à son bord, et que, se trouvant sous le coup d'une quarantaine de trois à quatre jours qu'il n'aurait assurément pas faite ici dans le cas où l'Envoyé de Votre Excellence se fût trouvé un des deux passagers, il ne leverait l'ancre pour gagner le Havre que demain et ne pourrait par conséquent arriver au Havre qu'après demain.

La question bien importante pour moi actuellement, Monsieur le Président, est de savoir si cet Envoyé est en effet un des deux passagers, et je n'ose pas me livrer à toute la satisfaction que me cause l'espérance que j'en ai. Le *Télégraphe* est un navire très-fin, très-solide, et un de nos meilleurs voiliers, mais je sais qu'il n'a pas été construit pour la commodité des passagers, et je crains bien que l'on ne lui ait préféré la *Virginie*. Enfin, je ne resterai pas long-temps dans cette anxiété.

Comme le Ministre de la Marine connaissait le nom du navire qui était attendu, je lui ai de suite écrit pour lui faire savoir tout ce que Votre Excellence m'avait fait dire par le Capitaine de ce navire au sujet du retard qu'avait éprouvé le départ de son Envoyé, et l'assurance qu'elle l'avait chargé de me donner, que cette personne partirait sans faute dans les premiers jours de Mars. J'ai eu l'attention de faire rédiger au Capitaine un rapport fort exact sur ce point, que le Commissaire-Général de la Marine enverra de son côté au Ministre, et qui s'accordera parfaitement avec la Lettre que je lui écris.

J'ai également adressé une Lettre à M. Esmangart, que je croyais de retour à Paris du dernier voyage qu'il avait fait à Saint-Lô pour aller y chercher sa famille ; mais il s'est trouvé que ma lettre écrite et partie, j'en ai reçu une de lui qui était encore datée de Saint-Lô, et par laquelle il m'annonçait qu'il n'en partait qu'aujourd'hui, qu'il se séparait de sa famille aussitôt qu'il serait arrivé avec elle à Caen, qu'il lui ferait poursuivre sa route pour Paris, et qu'il se dirigerait seul sur le Havre, où il avait besoin de me voir et de passer quelque jours avec moi. Je le conçois parfaitement ; car il ne pourra probablement pas rester long-temps à Paris avant d'aller prendre possession de sa nouvelle préfecture, et nous avons bien besoin de nous entendre pour savoir où nous nous rejoindrons. Il n'avait et ne pouvait avoir aucune nouvelle de l'arrivée du *Charles*, sur lequel il était dans la plus grande confiance que devait se trouver l'Envoyé de Votre Excellence ; et, comme ce navire avait plus de soixante jours de traversée, il me marquait à ce sujet quelles étaient toutes les inquiétudes qu'il en concevait. Je m'attends donc à le voir arriver ici demain ou après demain, ce qui me fait un bien grand plaisir.

Voilà bien exactement, Monsieur le Président, la situation actuelle des choses. Votre Excellence est en tout point aussi bien informée que je le suis moi-même. S'il arrivait que le Capitaine de l'*Hébé*, à qui cette lettre sera remise, ne partit pas demain, j'aurai l'attention de ne la lui faire donner qu'au dernier moment, afin d'y ajouter tout ce qui serait survenu de nouveau depuis cette date.

Le Capitaine du *Charles* m'a dit que Votre Excellence avait eu assez de bonté pour m'écrire un mot au sujet probablement du retard qui a eu lieu ; mais je ne l'ai pas reçu, et j'aurais été bien satisfait que ce fût ce Capitaine qui en eût été lui-même porteur.

L'Envoyé de Votre Excellence a son appartement tout préparé à côté du mien, chez M. Edouard Bonafé ; mais nous ne resterons tout au plus que vingt-quatre heures au Havre, aussitôt son arrivée. Il serait bien essentiel, pour la grande célérité dans cette affaire, qu'il parût avant le départ de M. Esmangart pour Strasbourg.

*Du 28 Avril, à 9 heures du matin.*

Le Commissaire-Général de la Marine me fait connaître, à l'instant, qu'on lui a transmis par terre, de Cherbourg, le nom des deux passagers qui sont à bord du *Télégraphe* ; il me les nomme, et je ne reconnais dans aucun de ces deux passagers celui que je désirerais y trouver. Il m'informe également que le navire de l'*Hébé* sortira du port à dix heures, et que j'aie à lui envoyer la lettre pour Votre Excellence qu'il doit confier au Capitaine de ce navire. [Toutes mes espérances se reposent donc sur la *Virginie* ; car il n'y avait pas d'autres bâtimens, au départ du *Charles*, en destination pour le Havre dans le commencement de Mars. La *Virginie*, qui est partie deux jours avant le *Télégraphe*, aurait aujourd'hui cinquante jours de traversée et ne pourra par conséquent tarder à paraître.

J'attends aujourd'hui M. le Conseiller-d'Etat Esmangart, d'après le contenu de sa dernière lettre.

J'espère vous annoncer par la première occasion, M. le Président, que toutes mes inquiétudes sont arrivées à leur terme, et que les choses commencent à marcher.

J'ai l'honneur d'être avec le plus profond respect, &c.

A. DE LAUJON.

(P.)—*M. de Laujon à M. le Président d'Haïti,*

MONSIEUR LE PRÉSIDENT,

*Hâvre, ce 28 Avril.*

J'ai l'honneur d'annoncer à Votre Excellence que je jouis en ce moment du plaisir de me trouver avec M. Esmangart, qui est arrivé ici il y a quelques heures ; il ne connaissait pas l'arrivée du navire le *Charles*, et a appris avec peine que ce bâtiment, sur lequel nous comptions, n'avait pas amené l'Envoyé de Votre Excellence ; il considère cette circonstance comme malheureuse, d'après l'annonce qui en avait été faite. Je lui ai répété tout ce que Votre Excellence m'avait fait dire par le Capitaine de ce bâtiment, et l'assurance qu'elle m'avait fait donner que cette personne partirait dans les premiers jours de Mars, ce qui reportait aujourd'hui toutes nos espérances sur la *Virginie* qui, ayant 53 jours de mer, ne pouvait tarder d'arriver. Monsieur Esmangart profite de la circonstance présente pour adresser une Lettre à Votre Excellence.

J'ai l'honneur d'être, &c.

A. DE LAUJON.

*P.S.* Je suis fort satisfait du petit retard qui a eu lieu dans le départ du navire l'*Hébé*. Il mettra à la voile demain.

(P.)—*M. Esmangart à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT,

*Le Havre, 28 Avril 1824.*

EN quittant le Département de la Manche pour aller dans celui du Bas-Rhin, dont le Roi a bien voulu me confier l'Administration, j'ai pris ma route par le Havre, dans l'espérance d'avoir des nouvelles du navire le *Charles* qui devait porter, m'avait dit M. de Laujon, la Personne chargée de votre confiance. Ce navire, après une longue et pénible traversée, était arrivé sans personne ni lettres, et cela m'a fort contrarié. Le Capitaine, que j'ai fait venir, m'a confirmé ce que vous l'aviez chargé de dire à M. de Laujon ; et d'après cela, nous attendons avec impatience le *Télégraphe* et la *Virginie*.

Le *Télégraphe* est arrivé avant-hier à Cherbourg, où il a été obligé de relâcher. Il n'a à bord que deux personnes dont les noms nous sont inconnus, et nous ne savons pas encore s'il a des Lettres.

Quant à la *Virginie*, elle n'a point encore paru. On voit au large un brick : peut-être est-ce celui que nous attendons, et je désire bien

sincèrement que la personne que vous avez annoncée, soit à bord. Je ne partirai pas d'ici, dans tous les cas, que ce navire ne soit en rade.

Je désire bien sincèrement, Monsieur le Président, que cette négociation puisse s'ouvrir. Les dispositions sont toutes favorables, et je serai bien heureux de pouvoir amener à sa fin une affaire d'un si haut intérêt.

Je saisis cette occasion, Monsieur le Président, &c.

ESMANGART.

(P.)—*M. de Laujon à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT.

*Paris, ce 8 Mai, 1824.*

J'ai quitté avant-hier le Havre, d'où j'ai été rappelé aussitôt après l'entrée dans ce port du navire *le Rousseau* qui était parti du Port-au-Prince le 25 Mars. Ce navire est le quatrième qui soit arrivé au Havre depuis *le Charles*, capitaine Doullé, sur lequel devait s'embarquer l'Envoyé de Votre Excellence : et non-seulement cet Envoyé ne s'est trouvé sur aucun de ces quatre bâtimens, mais, ni moi, ni M. Esmangart, n'avons reçu d'information qui nous aient fait connaître la cause de ce retard. Le Gouvernement ne pensant pas, Monsieur le Président, qu'il fût possible, d'après toutes les pièces dont j'ai été porteur, et qui sont aujourd'hui entre les mains de Votre Excellence, qu'elle pût concevoir le plus léger doute sur l'exécution franche et loyale des dispositions qui lui ont été annoncées concernant le Traité à intervenir, a vu, avec une extrême surprise, ensuite qu'aucun avis n'ait été donné sur les motifs qui ont pu occasioner son retard. J'ignore jusqu'à ce moment quel est le mouvement auquel il se décidera, et ne puis assez exprimer à Votre Excellence combien cet état de choses me fait éprouver de chagrin. J'ai été comblé de bonheur tout le temps que j'ai été près de vous, Monsieur le Président, j'ai rapporté en France ces mêmes sentimens dont vous m'aviez pénétré, et je ne les ai décrits qu'avec imperfection au milieu de tous mes efforts pour en retracer la vérité, j'ai dit ce que je pensais, et j'affirme encore que mes opinions ne sont pas changées : cependant les intentions que j'avais annoncées comme étant celles de Votre Excellence, et qui avaient été confirmées par elles dans sa Lettre à Monsieur le Conseiller d'Etat Esmangart, ne recevant aujourd'hui aucune confirmation des preuves qui devaient en être données, et que l'on attendait, où est pour moi la possibilité de ramener la confiance et de faire cesser les incertitudes ? ces moyens sont au-dessus de mon pouvoir.

Je n'ai ni le courage, ni la force de rien ajouter de plus à cette Lettre, et ne puis, Monsieur le Président, vous exprimer que mon profond chagrin, et le désir que j'ai de la prompte arrivée de l'Envoyé de Votre Excellence.

J'ai l'honneur d'être, &c.

A. DE LAUJON.



(P.)—*M. De Laujon à M. le Président d'Haïti.*

MONSIEUR LE PRÉSIDENT,

*Paris, le 12 Mai, 1824.*

J'ai eu l'honneur de vous écrire, le 8 courant, aussitôt mon retour à Paris, ou j'avais été rappelé après l'arrivée du *Rousseau*, à bord duquel ne s'était trouvé ni l'Envoyé de Votre Excellence, ni aucune Lettre qui eût été adressée, soit à M. Esmangart, soit à moi, pour nous faire connaître les causes d'un retard qui devient si malheureux. Comment est-il possible, M. le Président, qu'aucun rapport quelconque n'ait pu obtenir votre croyance, au point de vous faire douter un seul instant de la franchise et de loyauté du Gouvernement du Roi ? M. Esmangart serait donc entré dans les vues de vous tromper ; j'y aurais donc participé moi-même. Or, je demande à Votre Excellence si rien de tout cela est concevable. Des armements considérables à Brest, une armée de vingt mille hommes arrivée à la Martinique, et destinée à agir contre votre Pays, voilà les nouvelles que vous avez sans doute reçues et que l'on s'est plus à vous faire croire, quand il n'y a pas un mot de vrai. Vous ne tarderez pas à en être convaincu et vous regretterez alors que les choses n'aient pas eu la prompte exécution que vous deviez leur donner. Oui, Monsieur le Président, M. Esmangart et moi, serions aujourd'hui en route avec l'Envoyé de Votre Excellence, pour vous porter un Traité qui, conclu d'après les bases convenables, n'aurait pas souffert ici la moindre difficulté. Que de chagrins j'en ressens ! aucune expression de ma part ne souffrirait pour vous les retracer. Non-seulement je ne puis pas prévoir quelles pourront être les suites de cette affaire, si le Gouvernement vient à perdre toute confiance dans les promesses qui lui ont été faites ; mais je tomberai moi-même auprès de lui dans une disgrâce que je n'aurai pas assurément méritée. Voyez comme les peines touchent de près au bonheur. Tout était joie pour moi lorsque je suis arrivé, je ne l'ai pas laissé ignorer à Votre Excellence, et tout est chagrin aujourd'hui.

Dans l'embarras où je suis de savoir comment je puis enfin persuader Votre Excellence, j'ai l'honneur de lui faire passer la Lettre qui m'a été écrite par M. Esmangart, lors de mon rappel, et je pense qu'elle verra combien tout est vrai dans ce que nous lui disons.

Toutes mes espérances, et celles dans lesquelles je n'ai d'autres ressources que d'entretenir le Gouvernement, sont, que toutes les Lettres que j'ai eu l'intention d'écrire à Votre Excellence, et qui lui seront successivement parvenues, auront eu pour résultats de rétablir sa confiance et de la décider à envoyer promptement. Les choses seront conduites ici avec tant de dextérité, et l'on entrevoit si peu de difficultés dans leur terminaison, que je n'estime pas qu'il doive s'écouler plus de trois mois, à compter du départ de la Personne que

Votre Excellence enverrait, pour que nous nous retrouvions tous ensemble auprès de vous.

Comptez, je vous prie, sur toutes ces vérités, Monsieur le Président, ainsi que sur le profond respect, &c.

A. DE LAUJON.

(P.)—*M. Esmangart à Monsieur de Laujon, au Havre.*

*Paris, ce 4 Mai, 1824.*

VOILA, mon cher Laujon, le navire *le Rousseau* arrivé du Port-au-Prince ; et pas plus que les autres il ne vous amène la Personne annoncée par le Président. Votre présence au Havre n'est plus nécessaire ; elle ne servirait désormais qu'à faire jaser d'avantage ; et avec tout ce qui s'est dit sur l'objet de votre séjour dans ce port, elle ne servirait même qu'à compromettre le Gouvernement. Nous désirons, certainement bien sincèrement, qu'un arrangement tel qu'il paraissait convenu, vien mettre un terme à notre position fausse avec *St. Domingue* : mais encore faut-il que le Gouvernement conserve sa position, sans avoir l'air d'aller trop au-devant d'un arrangement qu'il fera malgré l'opposition de quelques têtes exaltées. Je regrette bien sincèrement, je vous le répète, que le Président n'ait pas mis à exécution le projet qu'il avait d'envoyer quelqu'un : la chose serait conclue a présent, et le Traité serait en route pour le Port-au-Prince. Quant à moi, je ne puis attendre ici. Je pars demain pour Strasbourg. J'envoie, de la part du Ministre, une instruction à M. Chabanon, au Havre. Et, si l'Envoyé que nous attendons débarque dans ce port, il se dirigera sur le point convenu, et je m'y rendrai.

Le Gouvernement ici n'est pas content. Il est blessé de penser que le Président a encore de la défiance. Qu'il voie donc quelle est la position de la France, et il sera convaincu qu'elle n'a besoin d'aucun détour pour demander sans hésiter tout ce qui lui paraîtrait convenable. Comment peut-il croire à ces annonces continuelles d'armements, quand, depuis dix ans, rien de ce qui lui avait été annoncé comme positif en ce genre, ne s'est réalisé ? Cette méfiance devient injurieuse pour le Gouvernement, qui devient lui-même défiant ; et cela ne peut que rendre le Traité plus difficile. Il veut en finir, le Ministre me l'a encore dit hier. Dieu veuille que le Président ne rende pas mes efforts et mes soins inutiles par une temporisation qui ne peut que tout compromettre.

Sans adieu : revenez sans tarder ; nous causerons de tout cela plus à notre aise ici.

Tout à vous,

ESMANGART

P. S.—Je ne partirai pas d'ici avant votre retour.

*RAPPORT des Messrs. Larose et Rouanez à Son Excellence le Président d'Haïti.*

PRESIDENT,

*Port-au-Prince, le 5 Octobre 1824.*

NOMMÉS par Votre Excellence pour nous rendre auprès du Gouvernement Français, à l'effet d'obtenir la reconnaissance, en forme authentique, de l'Indépendance du Peuple Haïtien, et de parvenir ensuite à la conclusion d'un Traité de Commerce entre la France et Haïti, notre devoir et notre conscience nous imposent l'obligation d'exposer à Votre Excellence le résultat de la Mission qui nous a été confiée. Nous écarterons tous les détails qui ne se rattachent pas essentiellement aux faits.

Partis du Port-au-Prince le 1 Mai de la présente année, sur le *Julius-Thalès*, nous arrivâmes au Havre dans la nuit du 14 Juin. Nos Instructions nous recommandaient d'aviser sur le champ M. le Conseiller d'Etat Esmangart de notre débarquement. Nous écrivîmes donc, dès le lendemain, à ce Magistrat qui venait de passer de la Préfecture de la Manche à celle du Bas-Rhin. Nous reçûmes sa réponse (N° 1) à St-Germain, où M. Laujon avait eu ordre de nous accompagner.

Avant d'entrer en matière, nous croyons qu'il n'est pas inutile de dire à Votre Excellence que le lieu des conférences, après avoir été d'abord désigné à St.-Germain, fut ensuite fixé à Strasbourg, résidence de M. Esmangart, lequel M. le Marquis de Clermont-Tonnerre, Ministre de la Marine, nous annonçait dans sa lettre du 20 Juin (N° 2.) être autorisé à recevoir nos propositions. Mais d'après les représentations que nous adressâmes à M. Esmangart sur les lenteurs qu'apporterait nécessairement à la conclusion du Traité l'éloignement où nous nous trouvions de la Capitale, nous fûmes appelés à Paris (N°s. 3. et 4.)

Notre premier soin, en entrant en conférence avec M. Esmangart, avait été de l'inviter à proposer à son Gouvernement de reconnaître l'Indépendance d'Haïti par une Ordonnance Royale, comme la seule forme qui pût inspirer une entière confiance pour l'avenir au Peuple Haïtien. M. Esmangart nous ayant donné l'espoir que cette demande aurait une réponse conforme à nos désirs (N° 5,) nous jugeâmes à propos d'établir, sans tarder, les conditions du Traité projeté, dont il avait d'ailleurs parfaite connaissance, puisqu'il les avait provoquées lui-même, par sa Lettre à Votre Excellence en date du 7 Novembre 1823, et dans ses instructions à M. Laujon. Ces conditions reposaient 1° sur la reconnaissance irrévocable de l'Indépendance d'Haïti; 2° sur une indemnité pécuniaire en faveur de la France; 3° sur des avantages mutuels de Commerce pour les deux Pays. A cette Communication, M. Esmangart répondit, le 9 Juillet, (N° 6,) que nous pourrions le lendemain conférer sur les bases ci-dessus mentionnées.

Néanmoins, plusieurs jours s'étant écoulés sans que nous vissions

se réaliser les espérances qu'on nous avait fait concevoir, nous manifestâmes notre anxiété à M. Esmangart qui, tout en rejetant le retard dont nous nous plaignions sur les grandes occupations du Gouvernement pendant la Session des Chambres, nous assura que sous peu le Ministre serait plus libre, et que l'on ne perdrait pas de temps pour en finir (N<sup>o</sup>. 7.)

Dès lors, nous eûmes avec M. Esmangart, qui avait cessé toute Correspondance par écrit, de fréquents entretiens, dans lesquels les questions précédemment établies furent agitées de nouveau. Les principales clauses, telles que la *Reconnaissance, en forme authentique, de l'Indépendance d'Haïti, l'indemnité pécuniaire et les avantages commerciaux en faveur de la France sur le pied des Nations les plus favorisées*, n'occasionnèrent point de longs débats : seulement on trouvait l'indemnité au dessous des prétentions que l'on voulait faire valoir ; mais cela ne devait point, de l'aveu même de M. Esmangart, être une difficulté majeure.

Etant d'accord, ou du moins à peu près, sur tous ces points, nous insistons pour en venir à une fin. C'est alors que M. Esmangart nous parla pour la première fois de la Partie de l'Est d'Haïti, réunie depuis plus de deux ans à la République. Selon lui, le Traité ne devait embrasser que la portion de Territoire ayant appartenu ci-devant à la France, et S. M. T. C. ne pouvait stipuler pour le Roi d'Espagne. Nous déclarâmes qu'il ne nous était pas permis d'admettre une distinction non produite dans les ouvertures qui avaient été faites à notre Gouvernement, et qui avaient amené notre mission. Cet obstacle inattendu nous laissa entrevoir qu'on cherchait ou à traîner l'affaire en longueur, ou à se ménager un moyen de la rompre.

Cependant le terme que Votre Excellence avait assigné à notre Négociation approchait, et nous voyions avec douleur que le Ministère ne se prononçait pas. En conséquence nous écrivîmes les 28 et 30 Juillet, à M. Esmangart, pour lui rappeler ses promesses, et pour lui dire que si l'on persistait à éluder de conclure, on nous mettrait dans la pénible nécessité de réclamer immédiatement nos Passeports. M. Esmangart vint nous voir le 31 ; et, après être convenu de nous répondre officiellement (ce que pourtant il n'a pas fait,) il nous proposa une entrevue avec le Ministre. Elle eut lieu le soir du même jour.

M. le Marquis de Clermont-Tonnerre ouvrit la conférence en disant qu'il avait chargé M. le Conseiller-d'Etat Esmangart de nous inviter à cette entrevue dans l'intention de nous faire part du projet d'Ordonnance Royale qui consacrait l'Indépendance d'Haïti, comme nous l'avions désiré, et dans lequel S. M. ne se réservait que la *SOUVERAINETE EXTERIEURE*. Vous pouvez juger de notre étonnement, Président, lorsque nous entendîmes proférer ce mot qui blesse au vif l'honneur national : aussi, malgré tous les efforts que M. le Ministre



de la Marine fit pour nous persuader que cette réserve était autant dans l'intérêt d'Haïti que dans celui de la France, et que le Roi n'exigeait cette garantie que pour nous protéger contre toute attaque, dans le cas où une Puissance étrangère voudrait nous inquiéter, nous protestâmes contre cette clause qui reproduisait, sous une forme nouvelle, des prétentions que notre Gouvernement avait déjà rejetées; lui faisant observer que si, dans des circonstances difficiles, nous avions conquis notre Indépendance, et si nous l'avions maintenue depuis vingt ans, aujourd'hui que la République est florissante, nous pouvions, sans être taxés de témérité, la défendre envers et contre tous; déclarant d'ailleurs que la Nation Haïtienne s'ensevelirait sous ses propres ruines, plutôt que de céder à aucune Puissance le moindre droit qui portât atteinte à sa liberté politique. Le Ministre, qui n'avait rien pu gagner sur ce point, nous fit, relativement à la Partie de l'Est de notre Territoire, la même observation que nous avait déjà faite M. Esmangart, et il reçut de nous la même réponse. Il proposa alors que l'un de nous retournât en Haïti pour soumettre à Votre Excellence ces difficultés. Comme le cas n'avait point été prévu, et qu'il nous paraissait même contraire à l'esprit de nos instructions, nous exposâmes à M. le Marquis de Clermont-Tonnerre, que nous regrettions de ne pouvoir nous rendre à sa proposition. Le Ministre ferma alors la conférence, en nous promettant qu'il prendrait l'avis du Conseil, et qu'il nous communiquerait la décision de son Gouvernement.

Tel a été le résultat de notre entretien avec le Ministre. La Lettre que M. Esmangart nous a écrite le 3 Août, nous a fait connaître le prétexte dont le Gouvernement Français a coloré la rupture de la négociation (No. 8.) Ce prétexte, c'est l'insuffisance de nos pouvoirs pour accepter les conditions établies dans le Projet d'Ordonnance. Mais était-on fondé à arguer cette insuffisance, après avoir reçu, sans objection, nos propositions, et nous avoir flattés de l'espoir de les voir accueillies? Était-ce faire preuve de cette disposition franche, si souvent manifestée d'en venir à un arrangement définitif, que de nous présenter une clause non convenue, et à laquelle on savait bien que nous ne pouvions consentir?

Les choses ayant pris cette tournure inattendue, notre séjour en France devenait sans objet, et nous nous embarquâmes au Havre, le 15 Août dernier, sur le *Cosmopolite*.

Voilà, Président, l'exposé vrai, et aussi succinct qu'il nous a été possible de le faire, de notre conduite et de celle du Gouvernement Français. Si nous n'avons point obtenu dans cette Négociation le résultat que nous devons naturellement attendre, nous aurons du moins la consolation d'avoir conservé intacts les droits et la dignité du Peuple Haïtien; et c'est avec ce sentiment que nous venons remettre

entre les mains de Votre Excellence le précieux dépôt qu'elle nous avait confié.

Agréez Président, l'hommage, &c.

LAROSE.

P. ROUANEZ.

No 1.—*M. Esmangart à Messieurs les Commissaires Haïtien.*

MESSIEURS,

Strasbourg, le 19 Juin 1824.

J'APPRENDS, avec une grande joie, votre arrivée en France. Vous étiez déjà annoncés depuis long-temps, et je craignais, d'après le retard, que mon espérance ne fût trompée. Je suis resté près de deux mois à Paris pour vous attendre et me concerter avec vous sur le lieu qui pourrait vous convenir, afin de nous y rendre et d'entamer la Négociation dont vous êtes chargés. Les soins que demande l'administration de mon Département ne m'ont pas permis d'attendre plus long-temps, et je suis à Strasbourg depuis dix jours seulement.

Notre Négociation doit être enveloppée du plus grand secret ; c'est le seul moyen d'éviter les intrigues de tous genres qui viendraient la croiser ; et si nous voulons conserver ce secret, nous devons nous hâter de nous éloigner de la Capitale. Monsieur le Président Boyer l'avait bien senti, en envoyant l'année dernière, à Bruxelles, la Personne chargée de ses Pouvoirs. Ce trajet serait un peu long ; ce serait d'ailleurs nous mettre sous la surveillance étrangère, ce qui aurait plus d'un inconvénient. Pour éviter cela, je suis convenu avec le Ministère que, si vous arriviez, je vous inviterais à vous rendre à Strasbourg. Là vous serez inconnus, nos communications seront faciles, et je ferai de mon mieux pour vous y rendre le séjour agréable. Je vous fais donc cette proposition, Messieurs, au nom de mon Gouvernement, et plus tard, quand on vous aura perdus de vue, après votre débarquement, nous pourrions nous rapprocher de Paris, sans craindre les mêmes inconvénients. Je vous fais donc, Messieurs, cette proposition. M. Laujon, qui vous remettra cette lettre à St. Germain, vous accompagnera jusqu'ici où j'ai grande impatience de vous recevoir. J'espère qu'enfin nous allons rétablir la bonne harmonie entre les deux Pays, et pour toujours ; et je suis, je vous l'assure, très-heureux de cette pensée.

Je suis, avec une très-haute considération, &c.

ESMANGART.

No. 2.—*Le Marquis de Clermont-Tonnerre à Messieurs les Commissaires Haïtien.*

MESSIEURS,

Paris, le 20 Juin, 1824.

J'AI reçu la Lettre que vous avez pris la peine de m'écrire à votre arrivée à St Germain. Je ne puis que vous engager à vous rendre à Strasbourg, ainsi que Monsieur Laujon vous l'a proposé. Vous y

trouverez Monsieur Esmangart, qui est autorisé à recevoir vos Propositions.

Recevez, Messieurs, l'assurance, &c.

*Le Pair de France, Ministre-Secrétaire-d'Etat de la  
Marine et des Colonies.*

MARQUIS DE CLERMONT-TONNERRE.

No. 3.—*M. Esmangart à Messieurs les Commissaires Haïtien.*

MESSIEURS,

*Strasbourg, 24 Juin 1824.*

J'ai reçu la Lettre que vous m'avez fait l'honneur de m'écrire en date de ce jour. Je transmets au Ministre la proposition que vous me faites de nous rapprocher de Paris. Notre éloignement, je le sens comme vous, a de l'inconvénient; et je ne doute pas que le Ministre ne le reconnaisse: je lui envoie la Copie de votre Lettre et j'y joins des réflexions dans le même sens.

Je saisis cette occasion pour vous offrir l'assurance, &c.

ESMANGART.

No. 4.—*M. Esmangart à Messieurs les Commissaires Haïtien.*

MESSIEURS,

*Strasbourg, le 26 Juin 1824.*

JE reçois à l'instant une Dépêche télégraphique qui m'annonce que la proposition que j'ai faite au Ministre de nous rapprocher de Paris, ne paraît avoir aucun inconvénient. Je vous propose en conséquence de nous mettre en route. Nous nous arrêterons à Meaux, et de là nous correspondrons très-promptement avec le Gouvernement. L'attention a été détournée, et personne ne recevra l'éveil de notre arrivée. Cela nous permettra d'arriver au terme d'une Négociation dont tout me fait espérer le plus heureux résultat.

Je suis avec une très haute considération, &c.

ESMANGART.

No. 5.—*M. Esmangart à Messieurs les Commissaires Haïtien,  
à Meaux.*

MESSIEURS,

*Au Château de Martroi, ce 7 Juillet 1824.*

JE reçois à l'instant votre Lettre de ce jour dans laquelle vous me demandez de proposer au Ministère de faire, par voie d'Ordonnance, la déclaration de l'Indépendance de votre Gouvernement. Je transmets cette demande à Monsieur le Ministre de la Marine; et, d'après les conférences qui ont déjà eu lieu à ce sujet, je ne doute pas que demain nous n'ayons une réponse conforme à vos désirs.

Je vous réitère, Messieurs, l'assurance, &c.

ESMANGART.

No. 6.—*M. Esmangart à Messieurs les Envoyés Haïtien d Paris.*

MESSIEURS,

*Paris, 9 Juillet 1824.*

JE viens de recevoir la Lettre que vous m'avez fait l'honneur de

m'écrire hier, et dans laquelle vous me faites connaître les bases et conditions sur lesquelles vous êtes autorisés à traiter, et qui sont: 1° la reconnaissance irrévocable de l'Indépendance d'Haïti; 2° une indemnité pécuniaire en faveur de la France; 3° les intérêts commerciaux et les avantages mutuels à régler. Je vais prendre les ordres du Ministre à ce sujet; et demain nous pourrons, je le présume, entrer en conférence sur ces premières questions.

Je vous réitère, Messieurs, l'assurance, &c.

ESMANGART.

No. 7.—*M. Esmangart à Messieurs les Envoyés d'Haïti, à Paris.*  
MESSIEURS, *Paris, le 12 Juillet 1824.*

AINSI que j'ai eu l'honneur de vous l'annoncer, j'ai transmis à S. E. Monseigneur le Ministre de la Marine les propositions que vous m'avez faites. Je suis bien contrarié des lenteurs qu'éprouve notre Négociation: mais dans ce moment, où la cession des Chambres va avoir son terme, le Gouvernement est tellement occupé qu'il ne lui est pas possible de donner à notre affaire toute la suite qu'il voudrait lui donner. Dans quelques jours il sera plus libre et nous ne perdrons pas un moment pour en finir.

Je vous réitère, Messieurs, l'assurance, &c.

ESMANGART.

No. 8.—*M. Esmangart à M. M. les Envoyés de Saint Domingue.*  
MESSIEURS, *Paris, le 3 Août 1824.*

LE Gouvernement, d'après la conférence que vous avez eue avec Monseigneur le Ministre de la Marine, a décidé que, faute de pouvoirs suffisants pour accepter les conditions établies dans le Projet d'Ordonnance dont il vous a été donné connaissance, la Négociation ne pouvait se suivre. Je regrette qu'elle n'ait pas eu un meilleur résultat; et je saisis cette occasion pour vous offrir, Messieurs, l'assurance de ma très-haute considération.

ESMANGART.

*Law to indemnify French Subjects for their Lands confiscated and sold during the Revolution.—27th April, 1825.*

*LOI concernant l'indemnité à accorder aux Anciens Propriétaires des Biens-fonds confisqués et vendus au profit de l'Etat, en vertu des Lois sur les Emigrés, les Condamnés et les Déportés.*

CHARLES, PAR LA GRACE DE DIEU, ROI DE FRANCE ET DE NAVARRE.  
A tous présens et à venir, salut.

Nous avons proposé, les Chambres ont adopté,

Nous avons ordonné et ordonnons ce qui suit :

#### TITRE PREMIER.

*De l'Allocation et de la Nature de l'Indemnité.*

ART. 1. Trente millions de rente, au capital d'un milliard, sont affectés à l'indemnité due par l'Etat aux Français dont les biens-fonds,



situés en France, ou qui faisaient partie du Territoire de la France, au 1<sup>er</sup> Janvier 1792, ont été confisqués et aliénés en exécution des Lois sur les Emigrés, les Déportés et les Condamnés révolutionnairement.

Cette indemnité est définitive ; et, dans aucun cas, il ne pourra y être affecté aucune somme excédant celle qui est portée au présent Article.

2. Pour les biens-fonds vendus en exécution des Lois qui ordonnaient la recherche et l'indication préalable du revenu de 1790, ou du revenu valeur de 1790, l'indemnité consistera en une inscription de rente 3 pour cent sur le grand-livre de la dette publique, dont le Capital sera égal à dix-huit fois le revenu, tel qu'il a été constaté par les procès-verbaux d'expertise ou d'adjudication.

Pour les biens-fonds dont la vente a été faite en vertu des Lois antérieures au 12 prairial an 3, qui ne prescrivaient qu'une simple estimation préalable, l'indemnité se composera d'une inscription de rente 3 pour cent sur le grand-livre de la dette publique, dont le Capital sera égal au prix de vente réduit en numéraire au jour de l'adjudication, d'après le tableau de dépréciation des assignats, dressé, en exécution de la Loi du 5 messidor an 5, dans le Département où était située la propriété vendue.

Lorsque le résultat des liquidations aura été connu, les sommes restées libres sur les trente millions de rente déterminés par l'Article 1<sup>er</sup> seront employées à réparer les inégalités qui auraient pu résulter des bases fixées par le présent Article, suivant le mode qui sera réglé par une Loi.

3. Lorsqu'en exécution de l'Article 20 de la Loi du 9 floréal an 3, les ascendans d'émigrés auront acquis, au prix de l'estimation déclarée, les portions de leurs biens-fonds attribuées à l'Etat par le partage de présuccession, le montant d'indemnité sera égal à la valeur réelle des sommes qui auront été payées : en conséquence, l'échelle de dépréciation des Départemens pour les assignats et les mandats, et le tableau du cours pour les autres effets reçus en paiement, seront appliqués à chacune des sommes versées, à la date du versement.

L'indemnité sera délivrée à l'ascendant s'il existe, et à son défaut, à celui ou à ceux de ses héritiers qui, par les arrangemens de famille, auront supporté la perte.

Lorsque l'Etat aura reçu d'un aîné ou autre héritier institué le prix des légitimes que des légitimaires frappés de confiscation avaient droit de réclamer en biens-fonds, le montant, réduit de la somme payée pour prix de cette portion légitimaire, sera restitué à ceux qui y avaient droit ou qui les représentent.

4. Lorsque les anciens propriétaires seront rentrés en possession des biens confisqués sur leur tête, après les avoir acquis de l'Etat directement ou par personnes interposées, l'indemnité sera fixée sur la valeur réelle payée à l'Etat, conformément aux règles établies par l'Article 2.

Lorsque, par les mêmes moyens, ils les auront rachetés à des tiers, l'indemnité sera égale aux valeurs réelles qu'ils justifieront avoir payées, sans que, dans aucun cas, elle puisse excéder celle qui est déterminée par l'Article 2. A défaut de justification ils recevront une somme égale aux valeurs réelles formant le prix payé à l'Etat.

Dans les deux cas ci-dessus, les ascendants, descendants ou femme de l'ancien propriétaire seront réputés personnes interposées.

Lorsque les héritiers de l'ancien propriétaire seront rentrés directement dans la possession des biens confisqués sur lui, l'indemnité à laquelle ils auraient droit sera fixée de la même manière.

5. Les rentes trois pour cent, affectées à l'indemnité, seront inscrites au grand-livre de la dette publique, et délivrées à chacun des anciens propriétaires, ou à ses représentans, par cinquième, et d'année en année, le premier cinquième devant être inscrit le 22 Juin 1825.

L'inscription de chaque cinquième portera jouissance des intérêts du jour auquel elle aura dû être faite, à quelque époque que la liquidation ait été terminée et la délivrance opérée.

Néanmoins les liquidations donnant droit à des Inscriptions inférieures à deux cent cinquante Francs de rente ne seront pas soumises aux délais prescrits ci-dessus. L'inscription en aura lieu en totalité et avec jouissance du 22 Juin 1825.

6. Pour l'exécution des dispositions ci-dessus, il est ouvert au Ministre des Finances un crédit de trente millions de rente trois pour cent, qui seront inscrits, savoir :

Six Millions, le 22 Juin 1825 ;  
Six Millions, le 22 Juin 1826 ;  
Six Millions, le 22 Juin 1827 ;  
Six Millions, le 22 Juin 1828 ; et  
Six Millions, le 22 Juin 1829 ;

avec jouissance, pour les rentes inscrites, du jour où leur inscription est autorisée.

## TITRE II.

### *De l'Admission à l'Indemnité et de sa Liquidation.*

7. Seront admis à réclamer l'indemnité, l'ancien propriétaire, et, à son défaut, les Français qui étaient appelés par la Loi ou par sa volonté à le représenter à l'époque de son décès, sans qu'on puisse leur opposer aucune incapacité résultant des Lois révolutionnaires.

Leurs renonciations ne pourront leur être opposées que par les héritiers qui, à leur défaut, auraient accepté la succession.

Il ne sera dû aucun droit de succession pour les indemnités réclamées dans les cas du présent Article et de l'Article 3.

8. Pour obtenir l'indemnité, les anciens propriétaires ou leur

représentans se pourvoiront devant le Préfet du Département où sont situés les biens-fonds vendus. Le Préfet transmettra la demande au Directeur des Domaines du Département, qui dressera le bordereau d'indemnité conformément aux dispositions précédentes.

Le bordereau sera communiqué aux réclamans, ensuite adressé par le Préfet au Ministre des Finances, avec les pièces produites : il y joindra son avis motivé, qui portera tant sur les droits et qualités des réclamans que sur les énonciations du bordereau et les observations ou réclamations qu'il aurait reçues.

9. Le Ministre des Finances vérifiera, 1° s'il n'a pas été payé de soultes ou de dettes à la décharge du propriétaire dépossédé ; 2° s'il ne lui a pas été compté, en exécution de la Loi du 5 Décembre 1814, des sommes provenant de reliquats de décompte de la vente de ses biens ; 3° s'il ne s'est pas opéré de compensations pour les sommes dues par lui au même titre ; 4° si quelques-uns des biens vendus sur lui ne provenaient pas d'engagemens ou autres aliénations du domaine Royal qui n'auraient été maintenus par les Lois des 14 ventôse an 7, et 28 Avril 1816, qu'à la charge de payer le quart de la valeur desdits biens ; auquel cas il sera fait déduction du quart sur l'indemnité due pour les mêmes biens.

Il sera dressé un état des deductions à opérer, dans lesquelles ne seront pas compris les sommes payées à titre de secours aux femmes et enfans, les gages de domestiques, et autres paiemens de même nature, faits en assignats, et en exécution des Lois des 8 Avril 1792, et 12 Mars, 1793.

Quel que soit le total de ces deductions, il ne pourra diminuer l'affectation des trente millions de rente fixés par l'Article 1<sup>er</sup>.

10. Le bordereau d'Indemnité et l'état des deductions seront transmis par le Ministre des Finances à une Commission de Liquidation nommée par le Roi.

11. La Commission procédera d'abord à la reconnaissance des qualités et des droits des réclamans.

Dans le cas où elle jugerait la justification irrégulière ou insuffisante, elle les renverra devant les Tribunaux pour faire statuer sur leur qualité contradictoirement avec le Procureur du Roi.

S'il s'élève entre les réclamans des contestations sur leurs droits respectifs, la commission les renverra également à se pourvoir devant les Tribunaux pour faire prononcer sur leurs prétentions, le Ministère public entendu.

Il y sera statué comme en matière sommaire, à moins qu'il ne s'élève quelque question d'état.

12. Quand la justification des qualités aura été reconnue suffisante, ou quand il aura été statué par les Tribunaux, la Commission ordonnera qu'il sera donné Copie aux ayant-droit des bordereaux adressés dans les Départemens, et de l'état des deductions proposées par le

Ministre des Finances ; et elle procédera à la liquidation, après avoir pris connaissance de leurs mémoires et observations.

13. La liquidation opérée, la Commission donnera avis de sa décision aux ayant-droit, et la transmettra au Ministre des Finances, qui fera opérer l'inscription de la rente, pour le montant de l'indemnité liquidée, dans les termes et délais qui ont été prescrits.

14. Les ayant-droit pourront se pourvoir contre la liquidation de la Commission devant le Roi en son Conseil d'Etat, dans les formes et dans les délais fixés pour les affaires contentieuses.

La même faculté est réservée au Ministre des Finances.

### TITRE III.

#### *Des Déportés et des Condamnés.*

15. Les dispositions précédentes seront applicables aux biens confisqués et aliénés au préjudice des individus déportés ou condamnés révolutionnairement.

Sera déduit de l'indemnité le montant des bons au porteur donnés en remboursement aux déportés et aux familles des condamnés, en exécution des décrets des 21 prairial et 22 fructidor an 3, réduit en numéraire au cours du jour où la remise leur en a été faite.

### TITRE IV.

#### *Des biens affectés aux Hospices et autres Etablissmens de Bienfaisance, et des biens concédés gratuitement.*

16. Les anciens propriétaires des biens donnés aux hospices et autres établissemens de bienfaisance, soit en remplacement de leurs biens aliénés, soit en paiement de sommes dues par l'Etat, auront droit à l'indemnité ci-dessus réglée. Cette indemnité sera égale au montant de l'estimation en numéraire faite avant la cession.

17. En ce qui concerne les biens qui n'ont été que provisoirement affectés aux hospices et autres établissemens de bienfaisance, et qui, aux termes de l'Art. 8 de la Loi du 5 Décembre 1814, doivent être restitués lorsque ces établissemens auront reçu un accroissement de dotation égal à la valeur de ces biens, les anciens propriétaires ou leurs représentans pourront en demander la remise, aussitôt qu'ils auront transmis à l'hospice détenteur une inscription de rente trois pour Cent dont le Capital sera égal au montant de l'estimation qui leur est due à titre d'indemnité.

En ce qui concerne les biens définitivement et gratuitement concédés par l'Etat, soit à d'autres établissemens publics, soit à des particuliers, l'indemnité due aux anciens propriétaires sera réglée conformément à l'Art. 16 ci-dessus. A défaut d'estimation desdits biens antérieure à la cession qui en a été faite, ils seront estimés contradictoirement et par experts, valeur de 1790.



**TITRE V.***Des droits des Créanciers relativement à l'Indemnité.*

18. Les oppositions qui seraient formées à la délivrance de l'inscription de rente par les créanciers des anciens propriétaires, porteurs de titres antérieurs à la confiscation, non liquidés et non payés par l'Etat, n'auront d'effet que pour le capital de leurs créances. Les anciens propriétaires ou leurs représentants auront droit de se libérer des causes de ces oppositions, en transférant auxdits créanciers, sur le montant de la liquidation en rente de trois pour Cent. un capital nominal égal à la dette réclamée.

Ces créanciers exerceront leurs droits suivant le rang des privilèges et hypothèques qu'ils avaient sur les immeubles confisqués.

L'ordre ou la distribution seront faits, s'il y a lieu, quel que soit le juge de la situation desdits biens, devant le Tribunal du domicile de l'ancien propriétaire, ou devant le Tribunal dans le ressort duquel la succession s'est ouverte.

**TITRE VI.***Des délais pour l'Admission.*

19. Les réclamations tendant à obtenir l'indemnité devront être formées, à peine de déchéance, dans les délais suivans, savoir :

Dans un an, par les habitans du Royaume ;

Dans dix-huit mois, par ceux qui se trouvent dans les autres Etats d'Europe ;

Dans deux ans, par ceux qui se trouvent hors d'Europe.

Ces délais courent du jour de la promulgation de la présente Loi.

20. Il sera ouvert dans chaque Préfecture un registre spécial où seront inscrites, à leur date, les réclamations qui auront été adressées au Préfet, ainsi que le résultat de chacune des liquidations, lorsqu'elle aura été terminée.

Des extraits régulièrement certifiés de ce registre seront délivrés à toutes personnes qui auront intérêt à les réclamer.

**TITRE VII.***Dispositions Générales.*

21. Il sera annuellement distribué aux Chambres, avec les projets de loi des comptes, des états détaillés de toutes les liquidations arrêtées conformément aux dispositions de la présente Loi, pendant l'exercice auquel se rapporteront ces projets.

22. Pendant cinq ans, à compter de la promulgation de la présente loi, tous actes translatifs de la propriété des biens confisqués sur les Emigrés, les Déportés et les Condamnés révolutionnairement, et qui seraient passés entre le propriétaire actuel desdits biens et l'ancien pro-

priétaire ou ses héritiers, seront enregistrés moyennant un droit fixe de trois Francs.

23. La qualité d'étrangère ou d'étranger ne pourra être opposée, relativement à l'exécution de la présente Loi, aux Françaises veuves ou descendantes d'Emigrés, de Déportés ou de Condamnés révolutionnairement, lesquelles auraient contracté mariage avec des étrangers antérieurement au 1er Avril 1814, ni à leurs enfans nés de pères ayant joui de la qualité de Français.

24. L'Article 1. de la Loi du 5 Décembre 1814 continuera de sortir son plein et entier effet : en conséquence, aucune des dispositions de la présente Loi ne pourra préjudicier en aucun cas aux droits acquis avant la publication de la Charte Constitutionnelle, et maintenus par ledit Article, soit à l'Etat, soit à des tiers, ni donner lieu à aucun recours contre eux.

La présente Loi, discutée, délibérée et adoptée par la Chambre des Pairs et par celle des Députés, et sanctionnée par nous cejourd'hui, sera exécutée comme Loi de l'Etat ; voulons, en conséquence, qu'elle soit gardée et observée dans tout notre Royaume, Terres et Pays de notre obéissance.

SI DONNONS EN MANDEMENT à nos Cours et Tribunaux, Préfets, Corps Administratifs, et tous autres, que les présentes ils gardent et maintiennent, fassent garder, observer et maintenir, et, pour les rendre plus notoires à tous nos sujets, ils les fassent publier et enregistrer partout où besoin sera : car tel est notre plaisir ; et, afin que ce soit chose ferme et stable à toujours, nous y avons fait mettre notre Scel.

Donné à Paris, en notre Château des Tuileries, le 27 jour du mois d'Avril de l'An de Grâce, 1825, et de notre Règne le Premier.

CHARLES.

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*LAW fixing the Receipt and Expenditure of France for the Year 1826.*

*LOI relative à la fixation du Budget des Dépenses et des Recettes de 1826.*

CHARLES, PAR LA GRACE DE DIEU, ROI DE FRANCE ET DE NAVARRE,  
A tous présens et à venir, salut.

Nous avons proposé, les Chambres ont adopté, nous avons ordonné et ordonnons ce qui suit :

**TITRE PREMIER.**

*Crédits votés pour l'Exercice 1826.*

*1<sup>er</sup>. Budget de la Dette Consolidée.*

Art. 1<sup>er</sup>. Les dépenses de la dette consolidée et de l'amortissement sont fixées pour l'Exercice 1826, à la somme de 241,585,785 Francs conformément à l'Etat A ci-annexé.

*II. Fixation des Dépenses Générales du Service.*

2. Des crédits sont ouverts jusqu'à concurrence de 672,918,714

Francs pour les Dépenses Générales du service de l'exercice 1826, conformément à l'Etat B, applicables, savoir :

Aux dépenses générales, ci .....	537,262,300 fr.
Aux frais de régie, d'exploitation, de perception et non-valeurs des contributions directes et indirectes et des revenus de l'Etat, ci. ....	126,856,414
Aux remboursements et restitutions à faire aux contribuables sur les produits des dites contributions, ci...	8,800,000
Aux dépenses départementales et communales, ci	<i>Mémoire.</i>

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Total égal. 672,918,714

## TITRE II.

### *Impôts autorisés pour l'Exercice 1826.*

3. Continuera d'être faite, en 1826, conformément aux lois existantes, la perception.

Des droits d'enregistrement, de timbre, de greffe, d'hypothèque, de passe-port et permis de port d'armes;

Des droits de douanes, y compris celui sur les sels; des contributions indirectes, des postes, des loteries, des monnaies, et droits de garantie;

Des taxes des brevets d'invention;

Des droits établis sur les journaux;

Des droits de vérification des poids et mesures;

Du dixième des billets d'entrée dans les spectacles;

Du prix des poudres, tel qu'il est fixé par la Loi du 16 Mars 1819;

D'un quart de la recette brute dans les lieux de réunion et de fêtes où l'on est admis en payant, et d'un décime pour franc sur ceux de ces droits qui n'en sont point affranchis, y compris les amendes et condamnations pécuniaires;

Des contributions spéciales destinées à subvenir aux dépenses des Bourses et Chambres de Commerce, ainsi que des revenus spéciaux accordés auxdits Etablissements et aux Etablissements Sanitaires;

Des droits établis pour les frais de visite chez les pharmaciens, droguistes et épiciers;

Des rétributions imposées, en vertu des Arrêtés du Gouvernement du 3 floréal an 8 (23 Avril 1800) et du 6 nivose an 11 (27 Décembre 1802), sur les établissemens d'eaux minérales, pour le traitement des médecins chargés par le Gouvernement de l'inspection de ces établissemens;

Des redevances sur les mines;

Des diverses rétributions imposées en faveur de l'Université sur les établissemens particuliers d'instruction et sur les élèves qui fréquentent les écoles publiques;

Des taxes imposées, avec l'autorisation du Gouvernement, pour la

conservation et la réparation des digues et autres ouvrages d'art intéressant les communautés de propriétaires ou d'habitans, et des taxes pour les travaux de dessèchement autorisés par la Loi du 16 Septembre 1807 ;

Des droits de péage qui seraient établis, conformément à la Loi du 4 Mai 1802, pour concourir à la construction ou à la réparation des ponts, écluses ou ouvrages d'art à la charge de l'Etat, des Départemens et des Communes ;

Des sommes réparties sur les Israélites de chaque circonscription pour le traitement des rabbins et autres frais de leur culte.

4. La contribution foncière, la contribution personnelle et mobilière, les contributions des portes et fenêtres et des patentes, seront perçues pour 1826, en principal et centimes additionnels, conformément à l'Etat C. ci-annexé.

Le contingent de chaque Département dans les contributions foncière, personnelle et mobilière, et des portes et fenêtres, est fixé aux sommes portées dans les Etats D. nos 1, 2 et 3, annexés à la présente Loi.

### TITRE III.

#### *Evaluation des Recettes de l'Exercice 1826.*

5. Le budget des recettes est évalué, pour l'Exercice 1826, à la somme de 924,095,704 Francs, conformément à l'Etat E. ci-annexé à la présente Loi.

#### *Moyens de Service.*

6. Le Ministre des Finances est autorisé à créer, pour le Service de de la Trésorerie et les Négociations avec la Banque de France, des bons royaux portant intérêt et payables à échéance fixe.

Les bons royaux en circulation ne pourront excéder 125,000,000 Francs.

Dans le cas où cette somme serait insuffisante pour les besoins du Service, il y sera pourvu au moyen d'une émission supplémentaire qui devra être autorisée par Ordonnance du Roi, et dont il sera rendu compte à la plus prochaine Session des Chambres.

#### DISPOSITIONS GENERALES.

7. Toutes contributions directes ou indirectes, autres que celles autorisées par la présente Loi, à quelque titre et sous quelque dénomination qu'elles se perçoivent, sont formellement interdites, à peine, contre les autorités qui les ordonneraient, contre les employés qui confectionneraient, les rôles et tarifs, et ceux qui en feraient le recouvrement, d'être poursuivis comme concussionnaires, sans préjudice de l'action en répétition, pendant trois années, contre tous receveurs, percepteurs ou individus qui auraient fait la perception, et sans que, pour exercer cette action devant les Tribunaux, il soit besoin d'une autori-



isation préalable. Il n'est pas néanmoins dérogé à l'exécution des Articles 22 de la Loi des 17 Août 1822, et 20 de la Loi du 31 Juillet 1821, relatifs aux centimes facultatifs que les Conseils-Généraux de Département sont autorisés à voter pour les dépenses d'utilité départementale et pour les opérations cadastrales, et des Articles 31, 39, 40, 41, 42 et 43 de la Loi du 15 Mai 1818, relatifs aux dépenses ordinaires et extraordinaires des Communes.

La présente Loi, discutée, délibérée et adoptée par la Chambre des Pairs et par celle des Députés, et sanctionnée par nous ce jourd'hui, sera exécutée comme Loi de l'Etat; voulons en conséquence, qu'elle soit gardée et observée dans tout notre Royaume, Terres et Pays de notre obéissance.

SI DONNONS EN MANDEMENT à nos Cours et Tribunaux, Préfets, Corps Administratifs, et tous autres, que les présentes ils gardent et maintiennent, fassent garder, observer et maintenir, et, pour les rendre plus notoires à tous nos sujets, ils les fassent publier et enregistrer partout où besoin sera: car tel est notre plaisir; et, afin que ce soit chose ferme et stable à toujours, nous y avons fait mettre notre Scel.

Donné en notre Château des Tuileries, le 13<sup>e</sup> jour du mois de Juin de l'An de Grâce 1825, et de notre Règne le Premier.

CHARLES.

*CONVENTION of Commerce between Great Britain and the Free Hanseatic Republics of Lubeck, Bremen, and Hamburgh.—Signed at London, September 29, 1825.*

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, on the one part, and the Senate of the Free Hanseatic City of Lubeck, the Senate of the Free Hanseatic City of Bremen, and the Senate of the Free Hanseatic City of Hamburgh, (each State for Itself separately) on the other part, being equally desirous of affording every facility and encouragement to Their Subjects and Citizens engaged in commercial intercourse with each other, and being of opinion that nothing will more contribute to the attainment of this desirable object, than a reciprocal abrogation of all discriminating and countervail-

SA Majesté Le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, d'une part, et le Sénat de la Ville libre et Anseatique de Lubeck, le Sénat de la Ville libre et Anseatique de Bremen, et le Sénat de la Ville libre et Anseatique de Hambourg, (chacun de ces Etats pour Soï séparément) de l'autre part, également animés du désir de procurer toutes les facilités et tous les encouragemens possibles à ceux de leurs Sujets et Citoyens qui ont part à des relations commerciales entre eux, et persuadés que rien ne sauroit contribuer davantage à l'accomplissement de cet objet désirable, que l'abolition réciproque

ing duties levied upon the Ships of the High Contracting Parties, or upon the Cargoes of such Ships, in the Ports of either, have appointed Their Plenipotentiaries to conclude a Convention for that purpose, that is to say :—

His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Hon. Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs; and The Right Hon. William Huskisson, a Member of His said Majesty's Most Hon. Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of His said Majesty's Navy :—

And the Senate of the Free Hanseatic City of Lubeck, the Senate of the Free Hanseatic City of Bremen, and the Senate of the Free Hanseatic City of Hamburgh, James Colquhoun, Esquire, their Agent and Consul-General in Great Britain :

Who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles :—

I. From and after the date hereof, British Vessels entering or departing from the Ports of the Free Hanseatic Republics of Lubeck, Bremen, or Hamburgh,—

de toute différence entre les impôts sur les Bâtimens et leurs Cargaisons des Etats respectifs dans les Ports des autres, ont nommé leurs Plénipotentiaires pour conclure une Convention à cet effet, savoir :—

Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, le Très Hon. George Canning, Conseiller de Sa dite Majesté en son Conseil Privé, Membre du Parlement, et Son Principal Secrétaire d'Etat, ayant le Département des Affaires Etrangères; et le Très Hon. William Huskisson, Conseiller de Sa dite Majesté en Son Conseil Privé, Membre du Parlement, Président du Comité du Conseil Privé pour les Affaires de Commerce et des Colonies, et Trésorier de la Marine de Sa dite Majesté :—

Et le Sénat de la Ville libre et Anseatique de Lubeck, le Sénat de la Ville libre et Anseatique de Bremen, et le Sénat de la Ville libre et Anseatique de Hambourg, le Sieur Jacques Colquhoun, leur Agent et Consul Général près de l'illustre Gouvernement de S. M. Le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande :

Lesquels, après s'être communiqués réciproquement leurs Pleins-pouvoirs respectifs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivans :—

I. A dater d'aujourd'hui, et après cette époque, les Navires Anglais qui entreront dans les Ports des Républiques libres et Anseatiques de Lubeck, Bremen,

and Lubeck, Bremen, or Hamburgh Vessels entering or departing from the Ports of The United Kingdom of Great Britain and Ireland, shall not be subject to any other or higher Ship duties or charges, than are or shall be levied on National Vessels entering or departing from such Ports, respectively.

II. All goods, wares, and merchandize, whether the production of the Territories of the Free Hanseatic Republicks of Lubeck, Bremen, or Hamburgh, or of any other Country, which may be legally imported from any of the Ports of the said Republicks into The United Kingdom of Great Britain and Ireland in British Vessels, shall, in like manner, be permitted to be imported in Lubeck, Bremen, or Hamburgh Vessels:—and all goods, wares, and merchandize, whether the production of any of the Dominions of His Britannick Majesty, or of any other Country, which may be legally exported from the Ports of The United Kingdom in British Vessels, shall, in like manner, be permitted to be exported from the said Ports in Lubeck, Bremen, or Hamburgh Vessels. And all goods, wares, and merchandize, which may be legally imported into or exported from the Ports of Lubeck, Bremen, or Hamburgh, in National Vessels, shall, in like manner, be permitted to be imported into or exported from the Ports of Lubeck, Bremen, or Ham-

ou Hambourg, ou qui en sortiront, et les Bâtimens de Lubeck, de Bremen, ou de Hambourg, qui entreront dans les Ports du Royaume Uni de la Grande Bretagne et de l'Irlande, ou qui en sortiront, ne seront sujets à droits de Vaisseaux autres ou plus considérables que ceux qui sont actuellement, ou pourront par la suite, être imposés aux Navires indigènes, à leur entrée dans ces Ports, ou à leur sortie.

II. Toutes les marchandises et objets de commerce, produits soit par les Territoires des Républiques libres et Anséatiques de Lubeck, Bremen, ou Hambourg, ou de tout autre Pays, qui pourront être légalement importés de l'un des Ports des dites Républiques dans le Royaume Uni de la Grande Bretagne et de l'Irlande dans des Navires Anglais, seront également autorisés à être importés dans des Navires de Lubeck, Bremen ou Hambourg:—et toutes les marchandises et objets de commerce produits soit par l'un des Etats de Sa Majesté Britannique, ou par tout autre Pays, qui pourront être légalement exportés des Ports du Royaume Uni dans des Navires Anglais, seront également autorisés à être exportés des dits Ports, dans les Navires de Lubeck, Bremen, ou Hambourg. Et toutes les marchandises et objets de commerce qui pourront être légalement importés dans les Ports de Lubeck, Bremen, ou Hambourg, ou exportés des dits Ports, dans des Navires Nationaux, seront également autorisés à être importés dans les Ports de Lu-

burgh, in British Vessels.

III. All goods, wares, and merchandize, which can be legally imported into the Ports of the United Kingdom directly from the Ports of Lubeck, Bremen, or Hamburgh, or either of them, shall be admitted at the same rate of duty, whether imported in British Vessels, or in Vessels belonging to either of the said Republics:—and all goods, wares, and merchandize, which can be legally exported from the United Kingdom, shall be entitled to the same bounties, drawbacks, and allowances, whether exported in British or Hanseatic Vessels. And the like reciprocity shall be observed, in the Ports of the said Republics, in respect to all goods, wares, and merchandize, which can be legally imported into or exported from any or either of the said Ports, in Vessels belonging to the United Kingdom.

IV. No priority or preference shall be given, directly or indirectly, by any or either of the Contracting Parties, nor by any Company, Corporation, or Agent, acting on their behalf, or under their authority, in the purchase of any article, the growth, produce or manufacture of Their States, respectively, imported into the other, on account of or in reference to the character of the Vessel in which such article was imported; it being the true intent

beck, Bremen ou Hambourg, ou exportés des dits Ports, dans des Navires Anglais.

III. Toutes les marchandises et objets de commerce dont l'entrée dans les Ports du Royaume Uni directement de l'un des Ports de Lubeck, Bremen, ou Hambourg, est permise, seront exactement sujets aux mêmes droits, qu'ils soient importés par les Navires de la Grande Bretagne, ou par les Navires de l'une des dites Républiques:—et il sera accordé pour toutes les marchandises et objets de commerce dont la sortie des Ports du Royaume Uni est permise, les mêmes primes, remboursements de droits, et avantages, que l'exportation s'en fasse par les Navires Anglais ou Anseatiques. Et la même réciprocité sera observée, dans les Ports des dites Républiques, relativement à toutes les marchandises et objets de commerce qui seront légalement importés dans l'un ou l'autre de ces dits Ports, ou exportés de ces mêmes Ports, dans des Navires appartenans au Royaume Uni.

IV. Il ne sera donné, ni directement, ni indirectement par l'une ou par l'autre des Parties Contractantes, ni par aucune Compagnie, Corporation, ou Agent, agissant en son nom, ou sous son autorité, aucune préférence quelconque pour l'achat d'aucune production du sol ou de l'industrie de leurs Etats respectifs, importée dans le Territoire de l'autre, à cause ou en considération de la nationalité du Navire qui auroit transporté cette production; l'intention bien posi-



and meaning of the High Contracting Parties, that no distinction or difference whatever shall be made in this respect.

V. In consideration of the limited extent of the Territories belonging to the Republics of Lubeck, Bremen, and Hamburg, and the intimate connection of Trade and Navigation subsisting between these Republics, it is hereby stipulated and agreed, that any Vessel which shall have been built in any or either of the Ports of the said Republics, and which shall be owned exclusively by a Citizen or Citizens of any or either of them, and of which the Master shall also be a Citizen of either of them, and provided three-fourths of the crew shall be Subjects or Citizens of any or either of the said Republics, or of any or either of the States comprised in the Germanic Confederation, as described and enumerated in the LIII<sup>d</sup> and LV<sup>th</sup> Articles of the General Treaty of Congress signed at Vienna on the 9<sup>th</sup> of June, 1815,\* such Vessel, so built, owned, and navigated, shall, for all the purposes of this Convention, be taken to be and considered as a Vessel belonging to Lubeck, Bremen, or Hamburg.

tive des deux Hautes Parties Contractantes étant, qu'aucune différence ou distinction quelconque n'ait lieu à cet égard.

V. En considération de l'étendue limitée des Territoires des Républiques de Lubeck, Bremen, et Hambourg, et de l'intime liaison de Commerce et de Navigation subsistante entre ces Républiques, il est ici stipulé et convenu, que tout Navire qui aura été construit dans l'un des Ports des dites Républiques, et qui sera reconnu appartenir exclusivement à un Citoyen ou à des Citoyens de l'une ou de l'autre, et dont le Capitaine sera aussi Citoyen de l'une ou de l'autre, et pourvu que les trois quarts de l'équipage seront Sujets ou Citoyens de l'une des dites Républiques, ou de l'un ou plusieurs des Etats compris dans la Confédération Germanique, d'après la description et énumération qui en a été faite dans les Articles LIII et LVI du Traité Général du Congrès signé à Vienne le 9 Juin 1815,\* le dit Navire, ainsi construit, reconnu, et navigué, sera tenu et considéré, pour tous les objets de cette Convention, comme Navire appartenant à Lubeck, Bremen, ou Hambourg.

\* Art. 53. Les Princes Souverains et les Villes libres d'Allemagne, en comprenant dans cette transaction L. L. M. M. L'Empereur d'Autriche, Les Rois de Prusse, de Danemarck, et des Pays Bas; et nommément—L'Empereur d'Autriche et Le Roi de Prusse, pour toutes celles de Leurs Possessions qui ont anciennement appartenu à L'Empire Germanique;—Le Roi de Danemarck, pour le Duché de Holstein;—Le Roi des Pays Bas, pour Le Grand Duché de Luxembourg;—établissent entre eux une Confédération perpétuelle qui portera le Nom de Confédération Germanique.

Art. 56. Les Affaires de la Confédération seront confiées à une Diète Fédérative, dans laquelle tous les Membres voteront par leurs Plénipotentiaires, soit

VI. Any Vessel, together with her cargo, belonging to either of the three Free Hanseatic Republics of Lubeck, Bremen, or Hamburgh, and coming from either of the said Ports to the United Kingdom, shall, for all the purposes of this Convention, be deemed to come from the Country to which such Vessel belongs; and any British Vessel and her cargo trading to the Ports of Lubeck, Bremen, or Hamburgh, directly or in succession, shall, for the like purposes, be on the footing of a Hanseatic Vessel and her cargo making the same voyage.

VII. It is further mutually agreed, that no higher or other duties shall be levied, in any or either of the States of the High Contracting Parties, upon any personal property of the Subjects and Citizens of each, respectively, on the removal of the same from the Dominions or Territory of such States, (either upon inheritance of such property, or otherwise,) than are or shall be payable, in each State, upon the like property, when removed by a Subject or Citizen of such State, respectively.

VI. Tout Navire, avec sa cargaison, appartenant à l'une des trois Républiques libres Anseatiques de Lubeck, Bremen, ou Hambourg, et venant de l'un des susdits Ports dans le Royaume Uni, sera, pour tous les objets de cette Convention, considéré comme venant du Pays auquel le dit Navire appartient; et tout Navire Anglais, avec sa cargaison, trafiquant avec les Ports de Lubeck, Bremen, ou Hambourg, directement ou successivement, sera, dans ces mêmes objets, sur le pied d'un Navire Anseatique, avec sa cargaison, faisant le même voyage.

VII. Il est en outre mutuellement convenu, que dans aucun des Etats des Hautes Parties Contractantes il ne sera levé aucuns droits autres ou plus considérables, sur aucune propriété personnelle des Sujets ou Citoyens de chacune d'elles, respectivement, dans le transport de ces propriétés hors du Domaine ou du Territoire de ces Etats, (soit en cas d'héritage de ces propriétés, soit autrement,) que ceux qui sont ou seront payables, dans chaque Etat, sur les mêmes propriétés, quand elles sont transportées par un Sujet ou Citoyen de cet Etat, respectivement.

Individuellement soit Collectivement, de la manière suivante, sans préjudice de Leur Rang:—1. Autriche. 2. Prusse. 3. Bavière. 4. Saxe. 5. Hanovre. 6. Wurtemberg. 7. Bade. 8. Hesse Electorale. 9. Grand Duché de Hesse. 10. Dannemarc, pour Holstein. 11. Pays Bas, pour Luxembourg. 12. Maisons Grand-Ducales et Ducales de Saxe. 13. Brunswick et Nassau. 14. Mecklenbourg Schwerin et Strelitz. 15. Holstein-Oldenbourg, Anhalt et Schwartzbourg. 16. Hohenzollern, Lichtenstein, Reuss, Schaumbourg-Lippe, Lippe et Waldeck. 17. Les Villes Libres de Lubeck, Francfort, Brême et Hambourg.

**VIII. The High Contracting Parties** reserve to Themselves to enter upon additional stipulations for the purpose of facilitating and extending, even beyond what is comprehended in the Convention of this date, the commercial relations of their respective Subjects and Dominions, Citizens, and Territories, upon the principle either of reciprocal or equivalent advantages, as the case may be; and, in the event of any Article or Articles being concluded between the said High Contracting Parties, for giving effect to such stipulations, it is hereby agreed that the Article or Articles which may hereafter be so concluded, shall be considered as forming part of the present Convention.

**IX.** The present Convention shall be in force for the term of 10 years from the date hereof; and further, until the end of 12 months after The King of the United Kingdom of Great Britain and Ireland, on the one part, or the Governments of the Free Hanseatic Republics of Lubeck, Bremen, or Hamburgh, or either of them, on the other part, shall have given notice of their intention to terminate the same; each of the said High Contracting Parties reserving to Itself the right of giving such notice to the other, at the end of the said term of 10 years: and it is hereby agreed between Them, that, at the expiration of 12 months after such notice shall have been received by either of the Parties from the other, this Convention, and all the provisions thereof, shall altogether

**VIII. Les Hautes Parties Contractantes** se réservent le droit d'entrer dans des stipulations additionnelles, afin de faciliter et d'étendre, même au delà de ce qui est compris dans la Convention actuelle, les relations commerciales de leurs Sujets respectifs, de leurs Etats, Citoyens et Territoires, d'après le principe d'avantages réciproques ou équivalens, suivant la nature des cas; et après la conclusion d'un Article ou Articles quelconques entre les dites Hautes Parties Contractantes, pour donner effet à ces stipulations, il est ici convenu, que l'Article ou les Articles qui pourront être à l'avenir ainsi conclus, seront considérés comme faisant partie de la présente Convention.

**IX.** La présente Convention sera en vigueur pendant 10 ans à dater de ce jour, et au delà de ce terme, jusqu'à l'expiration de 12 mois après que Le Roi du Royaume Uni de La Grande Bretagne et de l'Irlande, d'une part, ou l'un ou l'autre des Gouvernemens des Républiques libres et Anséatiques de Lubeck, Bremen, ou Hambourg, de l'autre part, aura annoncé à l'autre son intention de la terminer; chacune des Hautes Parties Contractantes se réservant le droit de faire à l'autre une telle déclaration, au bout des 10 ans susmentionnés; et il est convenu entre elles, qu'à l'expiration de 12 mois après qu'une telle déclaration de l'une des Hautes Parties Contractantes aura été reçue par l'autre, cette Convention, et toutes les stipulations y renfermées, cesseront d'être obli-

cease and determine, as far as regards the States giving and receiving such notice; it being always understood and agreed, that if one or more of the Hanseatic Republics aforesaid shall, at the expiration of 10 years from the date hereof, give or receive notice of the proposed termination of this Convention, such Convention shall, nevertheless, remain in full force and operation, as far as regards the remaining Hanseatic Republics or Republic, which may not have given or received such notice.

X. The present Convention shall be ratified, and the Ratifications shall be exchanged at London within one month from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their Arms.

Done at London the twentieth day of September, in the year of our Lord, 1825.

GEORGE CANNING.  
W. HUSKISSON.

gatoires par rapport aux Etats qui donneront ou recevront cette déclaration; bien entendu et convenu, que si l'une ou plusieurs des dites Républiques Anseatiques, à l'expiration de 10 ans à dater de ce jour, donnent ou reçoivent la déclaration de la cessation proposée de cette Convention, la dite Convention restera néanmoins en pleine force et effet aux autres Républiques ou République, qui n'auront ni donné ni reçu cette déclaration.

X. La présente Convention sera ratifiée, et les Ratifications en seront échangées à Londres dans l'espace d'un mois, ou plutôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signée, et y ont apposé le Cachet de leurs Armes.

Fait à Londres le vingt-neuf Septembre, l'an de grace, 1825.

JAMES COLQUHOUN.

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**REPORT of the Minister of the Marine, and Ordinance of The King of France, relative to the new organization of the French Navy.**

**RAPPORT AU ROI.**

SIRE,

*Saint-Cloud, le 2 Octobre 1825.*

L'INSUFFISANCE de l'inscription maritime a fait sentir, depuis longtemps, la nécessité de recourir à un autre mode de recrutement, pour assurer l'armement des Vaisseaux de Votre Majesté. Le seul moyen d'arriver à ce but et de tirer parti des ressources que la population de l'intérieur du Royaume pouvait offrir au service de la Marine, était de créer des équipages permanens, composés d'hommes engagés pour un certain nombre d'années, et régis par une organisation militaire. C'est pour essayer l'application de ce système, que les Ordonnances



des 13 Novembre 1822, et 11 Août 1824 ont prescrit successivement la formation de quatre équipages de ligne. Mais l'enrôlement volontaire, par lequel on avait cru devoir commencer cet essai, ne pouvant produire des résultats proportionnés à l'étendue des besoins, il a fallu ouvrir une source plus large au recrutement de la Marine, en la faisant participer aux appels qui ont lieu tous les ans, pour l'armée de terre; mesure qui a été consacrée par la Loi du 9 Juin 1824.

L'exécution de cette Loi devant donner un plus grand développement au système des équipages de ligne, j'ai dû examiner si la composition des quatre équipages actuellement existans, ainsi que l'administration qui les régit, étaient susceptibles d'être étendues à une organisation qui doit embrasser tout l'ensemble du personnel militaire du Département de la Marine. Un examen attentif de cette question m'a convaincu que l'effectif total et les divisions de ces corps pourraient être plus exactement proportionnés à la force relative des différens bâtimens qu'ils sont destinés à armer; que le mode de comptabilité qui leur a été appliqué est de nature à embarrasser la marche du service, par la multiplicité des écritures et la complication des détails; qu'enfin, pour recevoir une application générale, le régime actuel réclamait d'importantes modifications.

Dans cette conviction, je me suis occupé de reformer l'organisation présente, et d'y substituer un mode plus simple, plus complet et mieux approprié à la spécialité du service de mer. Le projet d'Ordonnance que j'ai l'honneur de soumettre à l'approbation de Votre Majesté, est le résultat de ce travail.

Une composition plus analogue à la destination des équipages; une répartition mieux entendue des Officiers et des différentes classes de Marins; l'établissement d'un Dépôt Général, où les hommes de levée seront formés et instruits, avant d'être admis dans les corps organisés; un système de solde et d'habillement, moins compliqué et plus avantageux au marin; des améliorations notables dans l'uniforme, la tenue, la discipline et l'instruction des corps: tels sont les avantages de la nouvelle organisation. Elle a été méditée avec toute l'attention que commandait son importance: le Conseil d'Amirauté, qui en a fait un examen approfondi, y a mis le sceau de ses lumières et de son expérience: je la présente à Votre Majesté, avec la confiance qu'elle contribuera d'une manière très-efficace au bien de son service.

Je suis avec le plus profond respect, Sire,

De Votre Majesté,

Le très humble et très-obéissant Serviteur et fidèle Sujet,

COMTE CHABROL.

## ORDONNANCE DU ROI.

CHARLES, PAR LA GRACE DE DIEU, ROI DE FRANCE ET DE NAVARRE,

Les Ordonnances des 13 Novembre 1822 et 11 Août 1824 ayant prescrit successivement la formation de plusieurs équipages, soumis à une organisation régulière et permanente, nous nous sommes fait rendre compte du résultat de ces essais, et nous avons reconnu qu'il convenait au bien de notre service de donner un plus grand développement à cette institution, en y apportant les modifications nécessaires, pour la mettre en rapport, tant avec le régime de l'inscription maritime, qu'avec les ressources du recrutement ordinaire, que la Loi du 9 Juin 1824 a rendu applicable au Département de la Marine.

Nous avons également reconnu, qu'indépendamment des avantages que présente le nouveau mode de recrutement pour la marine militaire, il aurait aussi pour résultat de favoriser la navigation du commerce, en laissant disponible un plus grand nombre de marins provenant de l'inscription maritime.

Sur le Rapport de notre Ministre Secrétaire-d'Etat au Département de la Marine et des Colonies,

Nous avons ordonné et ordonnons les dispositions suivantes :

## TITRE PREMIER.

*Composition.*

ART. 1<sup>er</sup> A l'avenir, le personnel militaire de notre Marine Royale sera organisé en équipages de ligne, qui seront destinés au service de nos bâtimens de guerre, ainsi que de nos arsenaux. Ils seront composés de la manière suivante :

1 Capitaine de Frégate.	1 de Charpentage.
4 Lieutenans de Vaisseaux.	1 de Calfâtage.
4 Enseignes.	1 de Voilerie.
1 Commis aux revues, Quartier-Maitre.	36 Quartiers-Maitres, dont :
8 Elèves.	11 de Manœuvre.
1 Premier Maître de Manœuvres.	16 de Canonage.
1 Premier Maître de Canonage.	3 de Timonnerie.
1 Premier Maître de Timonnerie.	2 de Charpentage.
1 Capitaine d'Armes.	2 de Calfâtage.
1 Maître de Charpentage.	2 de Voilerie.
1 Maître de Calfâtage.	240 Matelots, dont :
1 Maître de Voilerie.	68 de 1 <sup>re</sup> Classe.
1 Maître Armurier-forgeron.	68 de 2 <sup>e</sup> Classe.
12 Seconds Maîtres, dont ;	104 de 3 <sup>e</sup> Classe.
3 de Manœuvre.	104 Apprentis-Marins.
4 de Canonage.	12 Mousses, dont 4 Fifres et 8 Tambours.
2 de Timonnerie.	

2. Seront compris dans l'équipage et feront partie de l'effectif des matelots, les ouvriers des professions maritimes ci-après :—6 Charpentiers, 6 Callâts, 6 Voiliers.

3. L'effectif des 430 hommes sera divisé en un état-major et quatre compagnies, conformément au tableau ci-après :

	COMPOSITION de l'Etat- Major.	REPARTITION PAR COMPAGNIE.				TO- TAL.
		1re.	2e.	3e.	4e.	
1 Capitaine de Frégate .....	1	"	"	"	"	1
4 Lieutenants de Vaisseau .....	"	1	1	1	1	4
4 Enseignes .....	"	1	1	1	"	4
1 Commis aux revues Quartier-Maitre ....	1	"	"	"	"	1
8 Elèves .....	"	2	2	2	"	8
1 Premier Maître de Manœuvre .....	1	"	"	"	"	1
1 id. id. de Canonage .....	1	"	"	"	"	1
1 id. id. de Timonnerie .....	1	"	"	"	"	1
1 Capitaine d'Armes .....	1	"	"	"	"	1
1 Maître de Charpentage .....	1	"	"	"	"	1
1 id. de Calfatage .....	1	"	"	"	"	1
1 id. de Voilerie .....	1	"	"	"	"	1
1 Maître Armurier forgeron .....	1	"	"	"	"	1
3 de Manœuvre ..	"	1	1	1	1	3
4 de Canonage ..	"	1	1	1	1	4
2 de Timonnerie ..	"	"	"	1	1	2
12 Seconds Maîtres..	"	"	"	"	"	1
1 de Charpentage ..	"	"	"	"	"	1
1 de Calfatage ..	"	"	"	"	"	1
1 de Voilerie ....	"	1	"	"	"	1
11 de Manœuvre ..	"	3	3	2	3	11
16 de Canonage ..	"	4	4	4	4	16
3 de Timonnerie ..	"	1	1	1	"	3
36 Quartiers-Maitres.	"	"	"	1	1	2
2 de Charpentage ..	"	"	"	"	"	2
2 de Calfatage ..	"	1	1	"	"	2
2 de Voilerie ....	"	"	"	1	1	2
68 de 1re Classe ..	"	17	17	17	17	68
240 Matelots .....	"	17	17	17	17	68
68 de 2e Classe ..	"	26	26	26	26	104
104 Apprentis Marins .....	"	26	26	26	26	104
12 Mousses, dont 4 Fifres 8 Tambours ....	"	3	3	3	3	12
430	10	105	105	105	105	430

4. Tous les Officiers du corps Royal de la Marine, depuis le grade d'Enseigne de vaisseau inclusivement, jusques et compris celui de Capitaine de Frégate, seront successivement employés dans les équipages de ligne.

Les Officiers attachés aux équipages y serviront pendant deux années consécutives, à moins qu'ils ne reçoivent une autre destination de notre Ministre Secrétaire-d'Etat de la Marine.

Dans aucun cas, les mutations qui s'opéreront, pendant une même année, dans l'Etat-Major des équipages de ligne, ne pourront excéder la moitié du nombre des Officiers de chaque équipage.

## TITRE II.

*Destination.*

5. Les Marins de nos équipages de ligne rempliront indistinctement tous les genres de service que comportent la manœuvre, la timonnerie, l'artillerie, la conservation et l'entretien du Vaisseau. Ils feront, en outre, le service de l'infanterie, à bord et dans nos arsenaux maritimes.

6. Nos équipages de ligne seront employés sur les vaisseaux, frégates, corvettes et bricks, de guerre, jusques et compris ceux de seize bouches à feu.

7. Lorsqu'un équipage de ligne sera embarqué sur plusieurs bâtimens, il sera réparti de manière qu'il y ait à bord de chacun de ces bâtimens, le plus grand nombre possible d'hommes appartenant au même équipage. Mais dans aucun cas, il ne sera embarqué de fraction d'équipage inférieure à la moitié d'une compagnie.

Le dédoublement de la maistrance sera réglé par le Commandant de la Marine.

8. Le nombre d'Officiers et de Marins nécessaires pour compléter l'équipage desdits bâtimens, sera fourni par le Port.

9. Les bâtimens d'un rang inférieur aux bricks, de seize bouches à feu seront armés par des marins de l'inscription.

10. Les équipages, ou détachemens d'équipage de ligne embarqués, seront sous l'autorité immédiate du Capitaine du Bâtiment, qui donnera tous les ordres relatifs au service, à la discipline, à la tenue et à l'instruction desdits corps ou détachemens.

## TITRE III.

*Recrutement.*

11. Les équipages de ligne se recruteront par des hommes provenant des levées, qui seront faites en vertu de la Loi du 9 Juin 1824, et par des enrôlemens volontaires.

Les sous-officiers et soldats de nos troupes de la Marine, qui demanderont à prendre du service dans lesdits équipages, pourront y être admis, avec l'autorisation de notre Ministre de la Marine.

12. La taille des Officiers-mariniers et marins qui seront admis dans les équipages de ligne, devra être au moins d'un mètre 625 millimètres (5 pieds), et celle des mousses d'un mètre 462 millimètres (4 pieds 6 pouces).

13. La durée des enrôlemens volontaires sera de huit ans.

14. Le maximum de l'âge, auquel pourront être admis les enrôlés volontaires, qui ne proviendront, ni de l'inscription maritime, ni d'aucun des Corps organisés de la Marine, sera de vingt-un ans et demi.

Ceux qui s'enrôleront avant l'âge prescrit par la Loi du Recrutement, seront portés en déduction du contingent à fournir par leur Département.



Les marins de l'inscription ne pourront être admis, après l'âge de trente ans, et les Officiers Mariniers, après celui de quarante-cinq, à moins d'une autorisation spéciale de notre Ministre de la Marine.

15. Les jeunes gens, âgés de moins de dix huit ans, qui voudront servir dans les équipages de ligne, se présenteront devant le Préfet ou le Sous-préfet, munis de leur acte de naissance, du consentement par écrit de leur père ou de leur tuteur; et à défaut de tuteur, de leur plus proche parent, et d'un certificat de bonne conduite, délivré par le Maire de leur Commune.

Le Préfet ou le Sous-préfet, après s'être assuré qu'ils ont la taille et toutes les qualités requises par les Ordonnances et Réglemens, les fera diriger sur l'un des ports qui seront désignés par notre Ministre de la Marine.

Ces jeunes gens ne pourront contracter d'engagement régulier avant l'âge de dix-huit ans, et dans le cas où, ayant atteint cet âge ils ne consentiraient pas à souscrire un enrôlement définitif, ils seront tenus de rembourser les avances de toute nature qui leur auront été faites, ou de continuer à servir, pendant le tems nécessaire pour les acquitter.

Lorsque les jeunes gens admis avant dix-huit ans voudront, après avoir atteint cet âge, s'enrôler définitivement, ils contracteront leur engagement devant l'Autorité Civile. Alors, les certificats de bonne conduite et d'aptitude seront délivrés par le Conseil d'Administration du corps où ils avaient été provisoirement admis.

16. Les enrôlemens des gens de mer, âgés de 18 ans, seront reçus par le Commissaire de leur Quartier ou de tout autre Quartier d'Inscription où ces marins se trouveraient présens.

17. Les gens de mer qui se présenteront pour servir dans les équipages de ligne, y seront admis avec le grade qu'ils auront acquis au service de nos bâtimens.

18. Les enrôlés volontaires qui n'auront pas navigué, et les novices qui n'auront pas atteint l'âge et le tems de navigation, exigés pour être employés comme matelots, seront admis en qualité d'apprentis marins.

19. Les Militaires admis dans les équipages conserveront le grade qu'ils auront acquis à la mer par des services antérieurs. Ceux qui n'auront pas navigué pendant le tems prescrit pour être embarqués comme matelots, seront employés en qualité d'apprentis marins jusqu'à ce qu'ils aient satisfait à cette condition.

20. Les Militaires admis dans les équipages seront tenus d'y servir jusqu'à l'expiration de leur enrôlement primitif; et, dans tous les cas, pendant deux ans au moins.

21. Tous les hommes incorporés dans les équipages de ligne qui, après six ans de service contracteront un nouvel engagement, obtiendront les hautes-payes déterminées par les tarifs adoptés pour

nos troupes d'artillerie, en raison de la durée de l'engagement. Le nouveau service auquel ils s'obligeront ne courra qu'à partir du jour de l'expiration de leurs premier enrôlement. Ils jouiront en outre des hautes payes accordées à l'ancienneté par les mêmes tarifs.

Les hautes payes seront acquittées, tant à terre qu'à la mer ; et les marins qui les auront obtenues les conserveront, lorsqu'ils seront rappelés au service ou qu'ils se présenteront volontairement.

22. A l'expiration des engagements, les hommes faisant partie des équipages de ligne seront congédiés définitivement. Toutefois, les hommes embarqués sur des bâtimens qui se trouveraient hors des ports de France, ne pourront être licenciés, que lorsqu'il aura été pourvu à leur remplacement.

Les marins congédiés, provenant, soit du recrutement, soit de l'enrôlement volontaire ou de l'inscription, ne pourront être requis pour le service de nos bâtimens, ni en tems de paix, ni en tems de guerre.

Mais ceux de ces marins qui, après avoir reçu leur congé définitif, continueront de naviguer volontairement, pourront être rappelés au service de notre Marine, en tems de guerre seulement ; et, dans ce cas, ils seront portés sur les matricules de l'inscription maritime, avec le grade qu'ils auront obtenu dans les équipages.

Avant d'immatriculer les hommes libérés qui voudront continuer le métier de la mer, les Commissaires de l'Inscription maritime leur donneront connaissance des avantages attachés à l'état de marin et des conditions qu'il impose.

La déclaration de chaque homme sera signée par lui, ou en sa présence, par le Commissaire du Quartier où il sera immatriculé.

#### TITRE IV.

##### *Dépôt Général.*

23. Il sera établi, dans chacun de nos Ports Militaires, un Dépôt Général des équipages de ligne, sur lequel seront dirigés les hommes destinés à servir dans lesdits équipages.

24. Le Dépôt Général sera commandé par un Capitaine de Vaisseau.

Il aura sous ses ordres les Officiers de tous grades qui seront jugés nécessaires.

Le détail de l'habillement sera géré par un des Lieutenans de Vaisseau.

Un Quartier-maître-trésorier sera chargé de la comptabilité, et un Chirurgien de première classe dirigera le service de santé.

La liste de ces Officiers sera arrêtée par notre Ministre de la Marine.

25. Il sera formé, au Dépôt Général, un Conseil d'Administration qui sera composé ainsi qu'il suit :

Le Capitaine de Vaisseau, Président; 1 Capitaine de Frégate; 2 Lieutenans de Vaisseau; 2 Enseignes; 2 Premiers-mâtres.

Le Capitaine de Frégate remplira les fonctions de rapporteur, et le Quartier-mâitre-trésorier celles de Secrétaire.

26. Les Commissaires aux Revues rempliront auprès du Conseil d'Administration du Dépôt, les fonctions qui leur sont attribuées, à l'égard de nos troupes de la Marine.

27. Le Conseil d'Administration du Dépôt Général sera chargé : 1<sup>o</sup> De la confection de l'habillement; 2<sup>o</sup> De l'acquittement de la solde, et de la comptabilité des hommes qui composeront le dépôt; 3<sup>o</sup> De la surveillance de toutes les opérations relatives à la comptabilité des équipages de ligne.

28. A l'arrivée des hommes au dépôt, ils seront successivement formés en compagnies provisoires, qui seront composées de la manière suivante :

1 Lieutenant de Vaisseau,

1 Enseigne,

2 Elèves,

2 Seconds-mâtres.... { 1 de manœuvre,  
1 de canonnage,

4 Quartiers-mâtres.... { 2 de manœuvre,  
2 de canonnage,

16 Matelots de toutes classes, dont 4 faisant fonctions de Quartiers-mâtres,

120 Apprentis-marins,

4 Mousses, dont 2 fifres et 2 tambours.

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Les Officiers mariniers et maîtres desdites compagnies seront choisis parmi les plus capables de former les apprentis-marins aux exercices de la manœuvre, du canonnage et du fusil.

29. Le Dépôt Général sera sous l'autorité du Major-Général, qui prendra les ordres du Commandant de la Marine.

30. Lorsque les hommes d'un équipage de ligne embarqué seront séparés de leur corps, par quelque cause que ce soit, ils rentreront, soit au dépôt ou le corps aura été formé, soit au dépôt le plus voisin.

Ils seront admis dans les compagnies provisoires, mais ils ne pourront être incorporés dans un autre équipage de ligne, que d'après l'ordre de notre Ministre Secrétaire-d'Etat de la Marine.

31. Le Commandant du Dépôt Général inspectera, au moins une fois par mois, les équipages de ligne présens au Port. Ces inspections porteront sur la tenue, la discipline et l'instruction des corps, sur la situation de l'habillement, de l'armement et du casernement : il rendra compte desdites inspections au Major-général; et tous les six mois, il en adressera un rapport détaillé au Ministre de la Marine.

32. Tous les trois mois, et plus souvent, s'il le juge nécessaire, le Major-Général inspectera, sous ces mêmes rapports, le Dépôt Général

et les équipages de ligne : il se fera remettre, par les commandans des corps, des notes sur la conduite et l'instruction des Officiers, et les réunira au rapport détaillé de son inspection, qu'il adressera au Ministre, par l'entremise du Commandant de la Marine qui y joindra ses propres observations.

## TITRE V.

### *Casernement.*

33. Les équipages de ligne seront casernés soit à terre, soit à bord de bâtimens disposés à cet effet.

34. Il sera pourvu, par l'administration de la Marine, au casernement desdits équipages, conformément à ce que prescrivent les réglemens.

Les effets de couchage, consistant en deux hamacs à double fonds, un matelas et une couverture, ainsi que les bidons et gamelles, seront fournis, à charge d'inventaire, et demeureront sous la responsabilité du maître d'équipage.

Les baucs, tables et planches à pain seront délivrés de la même manière, au maître charpentier, qui en sera également responsable.

Les hommes de l'équipage seront aussi responsables, sur leur solde, de la perte ou de la dégradation des effets de couchage et de casernement, lorsqu'elles proviendront de leur fait.

35. Le Dépôt Général sera caserné dans le local qui sera désigné à cet effet, ou sur des bâtimens désarmés.

Tous les objets de casernement, détaillés en l'Article ci-dessus, seront fournis par le magasin général, à la charge du Maître d'équipage.

## TITRE VI.

### *Service du Dépôt Général et des Equipages employés à terre.*

36. Le service des hommes employés au dépôt général, et celui des équipages casernés seront réglés par le Commandant de la Marine.

37. L'ordre, la discipline, les exercices, la tenue, le commandement, etc. seront exactement les mêmes dans le Dépôt Général et dans tous les équipages de ligne. Les Majors-généraux des ports et les Commandans des dépôts sont spécialement chargés de maintenir cette uniformité.

38. Indépendamment de la manœuvre et des exercices du bord, les marins de nos équipages de ligne seront exercés au maniement du fusil et aux manœuvres d'infanterie. Après trois mois de formation, ils pourront être mis par détachement, et sur l'ordre du Commandant de la Marine, à la disposition des directions des ports, pour être employés suivant leurs professions.

Pourront également être employés dans des ports, les maîtres et les Officiers-Mariniers des équipages de ligne.



Dans ce cas, il sera alloué à ces diverses classes de marins, pour solde de travail, un supplément dont la quotité sera déterminée par notre Ministre de la Marine.

39. A défaut de bâtiment en commission, le Commandant de Marine désignera un bâtiment armé de sa batterie et gréé de ses voiles, pour exercer les marins du dépôt et ceux des équipages employés à terre.

40. Les marins des équipages seront exercés, aussi fréquemment que possible, au tir du canon, soit à bord des bâtimens armés, soit au polygone.

Les hommes qui feront preuve d'adresse recevront les gratifications, accordées aux canonniers de nos régimens d'artillerie.

41. L'équipage, ou la partie d'équipage de ligne, destinée à embarquer sur un bâtiment, sera employé à son armement.

La garde du bâtiment sera confiée à l'équipage de ligne, à dater de l'ouverture du rôle.

42. Lorsque les équipages seront employés à terre, les fonctions d'Adjudant-major seront remplies par un officier du corps, au choix du Commandant de l'équipage. Cet officier sera remplacé dans sa compagnie, d'après les ordres du Commandant de la Marine, soit par un Officier du dépôt général, soit par un de ceux qui seraient disponibles dans le port.

43. Les Adjudans-Majors veilleront à l'exécution des ordres concernant le détail de la Police et le service général; ils resteront étrangers à la police intérieure des compagnies, ainsi qu'à leur administration. Ils veilleront aux exercices et seront chargés de commander les tours de service.

44. Les Lieutenans de vaisseau Capitaines des compagnies, en tiendront le contrôle; ils seront responsables de la police, de la discipline, du service, de la tenue, de l'instruction et de la comptabilité de leur compagnie; ils exerceront, en conséquence, toute l'autorité de leur grade sur les officiers, officiers mariniens et marins placés sous leurs ordres: ils feront, chaque jour, l'inspection de leur compagnie.

45. Les Enseignes de vaisseau, Lieutenans de compagnie, et les élèves Sous-Lieutenans, seront responsables, envers leurs supérieurs respectifs, de la section à laquelle ils seront attachés. Ils feront exécuter, lorsqu'ils seront de semaine, tous les détails de police, de discipline et de service intérieur de la compagnie.

46. Les premiers maîtres feront, d'après les ordres de l'Adjudant-major, l'appel des gardes; ils commanderont le service et seront spécialement chargés de l'instruction des Officiers-Mariniens et des marins.

47. Les équipages de ligne casernés participeront aux gardes d'honneur fournies par nos troupes.

## TITRE VII.

*Armement.*

48. L'armement des Officiers-Mariniers et des Marins des équipages de ligne sera composé d'un fusil, modèle de dragon, avec sa baïonnette, ceinture avec giberne, et porte-baïonnette.

Il sera délivré à chaque équipage, 32 porte-grenades, en forme de giberne, avec la banderolle en buffle, grenade en cuivre sur le battant, et porte-mèche aussi en cuivre, à raison de 8 par compagnie, lesquels seront destinés aux hommes élevés au poste de grenadier dans le rôle d'abordage.

A la première formation, les Officiers-Mariniers seuls porteront le sabre.

Le sabre sera également porté, par les matelots, lorsqu'ils jouiront, ou auront joui, à la fin d'une campagne, d'un supplément de solde à la mer, pour fonctions de gabier, de chef de pièce, de chargeur, ou de timonnier sondeur.

Toutes ces armes, ainsi que les caisses et les fifres, seront délivrées des salles d'armes de nos ports, sur l'ordre du Commandant de la Marine.

Il sera, en outre, embarqué sur les vaisseaux et frégates, montés par les équipages de ligne, les baches, piques et autres armes déterminées par le règlement.

A terre, les premiers-maîtres porteront l'épée comme les sous-officiers de nos régimens d'artillerie.

## TITRE VIII.

*Avancement.*

49. Après un an d'embarquement, ou dix-huit mois d'incorporation, les apprentis-marins de nos équipages de ligne seront portés à la 3<sup>e</sup> classe des matelots.

50. Les Officiers-Mariniers et Marins d'un équipage de ligne ne pourront être promus à un grade, s'ils n'ont effectivement servi pendant un an, à bord de nos bâtimens, dans le grade immédiatement inférieur, et s'ils n'ont appartenu six mois à la première classe dudit grade.

Ils ne pourront passer d'une classe à une autre, qu'après avoir servi six mois dans la classe précédente, et qu'après avoir fait preuve de l'instruction qui sera déterminée par un règlement spécial.

51. Les quartiers-maîtres de manœuvre ne pourront être pris que parmi les matelots de première classe; et de préférence, dans le nombre de ceux qui auront déjà rempli les fonctions d'Officier-Marinier, ou qui auront été employés comme gabiers.

52. Pourront être quartiers-maîtres de canonage, les matelots de première classe qui auront déjà rempli les fonctions de ce grade, ou

qui auront été employés comme chefs de pièce pendant un an; et toutes choses d'ailleurs égales, le choix devra porter de préférence, sur ceux qui auront servi dans les compagnies d'apprentis-canonnières.

53. Seront susceptibles d'être nommés quartiers-mâtres de timonerie, les matelots de première classe qui, ayant été employés pendant un an à ce service, auront fait preuve de l'instruction exigée.

54. Les capitaines d'armes ne pourront obtenir l'avancement d'une classe à une autre, que lorsqu'ils auront fait deux années de campagne dans la classe immédiatement inférieure.

55. Il ne pourra être donné d'avancement, soit en grade, soit en classe, qu'au désarmement des bâtimens, lorsque la campagne durera moins d'un an; ou, qu'après douze mois d'armement, lorsqu'il y aura continuation de campagne.

56. Les avancements en grade pourront être portés, douze mois de campagne, jusqu'au vingtième; et les avancements en classe, jusqu'au huitième des Officiers Mariniers et matelots, embarqués au départ des bâtimens.

57. Toutes les fois qu'un armement se prolongera au-delà d'un an, les avancements déterminés par les Articles précédens, pourront être augmentés dans les proportions suivantes, savoir: Pour trois mois révolus, un quart; pour six mois, la moitié; pour neuf mois, les trois quarts; pour douze mois, le double. Et ainsi de suite, quelle que soit la durée de la campagne. Mais si la campagne dure moins d'un an les avancements devront être réduits dans les mêmes proportions.

58. Il pourra être accordé des avancements spéciaux, au retour des campagnes, que notre Ministre de la Marine aura jugées extraordinaires: ces avancements ne seront soumis qu'aux formes prescrites par l'Art. 67.

59. L'avancement des Officiers Mariniers et Marins sera déterminé en conseil, à bord, soit à la fin de chaque année, soit avant la revue de désarmement. Ce conseil convoqué et présidé par le capitaine du bâtiment, sera composé: de l'officier chargé du détail; des officiers chefs de quart; et du commis aux revues quartier-maître.

Ce dernier aura voix représentative, pour ce qui est relatif à l'exécution de la présente Ordonnance, quant à la durée des services et au nombre des avancements. Il sera chargé de rédiger le procès verbal, dans lequel il devra consigner ses observations, s'il a lieu d'en faire.

Les premiers maîtres ne feront point partie intégrante dudit conseil; mais ils seront appelés pour rendre compte de leur opinion sur chacun des marins proposés pour l'avancement.

60. Le procès-verbal d'avancement sera remis, par le Commandant du bâtiment, au Président du Conseil d'Administration du Port, qui l'enverra à la vérification du Commissaire des Armemens, afin de

s'assurer que les Officiers Mariniers et matelots proposés ont rempli les conditions prescrites par les réglemens.

61. Lorsque cette vérification aura été opérée, le Président présentera le procès-verbal au Conseil d'Administration du Port. S'il contient des propositions contraires, en quelque point que ce soit, aux dispositions de la présente Ordonnance, le renvoi en sera fait au Conseil d'Avancement, pour y opérer les changemens nécessaires.

Dans le cas où le Conseil d'Avancement serait dissous, le Conseil d'Administration corrigera, lui-même, les irrégularités qui auraient pu être commises dans la rédaction du procès-verbal. Cette pièce, ainsi rectifiée et revêtue de l'approbation du Conseil, sera remise au Commissaire du Bureau des Armemens, pour en faire apostille sur le rôle d'équipage.

62. Lorsqu'un bâtiment se trouvera éloigné des ports de France, pendant plusieurs années, le Conseil d'Avancement pourra s'assembler, d'année en année, pour désigner les Officiers Mariniers et Marins, susceptibles d'être portés à une classe ou un grade supérieur; et, autant qu'il sera possible, il adressera au port d'armement le duplicata du procès-verbal qu'il aura arrêté: mais ce ne sera toujours qu'à l'arrivée du bâtiment dans un des ports de France, et après que toutes les formalités prescrites par les Art. 60 et 61 auront été remplies, que les avancements seront définitifs. Ceux qui auront été reconnus contraires à la présente Ordonnance, seront annulés, sans qu'ils puissent donner lieu à aucun rappel de solde. Quand aux avancements approuvés par le Conseil d'Administration du port, ils compteront, pour le rang et la solde, de l'époque où la délibération du Conseil d'Avancement aura été prise, bien que les Marins qui les auront obtenus, aient continué de remplir les fonctions du grade qu'ils occupaient précédemment.

63. Pour assurer, en cas d'évènement, les intérêts des Marins qui se trouveront ainsi éloignés, nous autorisons les Commandans de nos bâtimens à faire délivrer aux hommes proposés pour passer à un grade ou à une paie supérieure, un extrait en bonne forme du procès-verbal d'avancement, afin que cette pièce leur serve de titre pour faire leurs réclamations, à leur arrivée dans nos ports.

64. Après la première formation, les avancements, en grade et en classe, seront donnés à des hommes de l'équipage de ligne, pris dans les grades immédiatement inférieurs, remplissant les conditions prescrites, et suivant les proportions et les règles établies par la présente Ordonnance.

Si par l'effet de ces avancements il se trouvait un nombre de matelots ou d'officiers-mariniers, supérieur à l'effectif de chaque classe ou de chaque grade, cet excédent serait conservé à la suite dudit équipage, jusqu'à ce qu'il pût être placé dans un autre.



65. Dans le cas où un emploi d'officier-marinier viendrait à vaquer, pendant la campagne, par mort, ou par toute autre cause, le Commandant du bâtiment y pourvoira provisoirement. Son choix devra porter sur des Marins du grade immédiatement inférieur, ayant l'instruction et le tems de service exigés par la présente Ordonnance.

A défaut de gens de mer du grade inférieur, réunissant toutes les qualités requises, les Commandans pourront désigner, dans les classes qui suivront immédiatement les hommes qu'ils jugeront les plus capables de remplir lesdites fonctions.

66. Les Officiers Marinières provisoires qui, à l'époque où ils ont été désignés, remplissaient toutes les conditions prescrites, recevront au désarmement la paie de la deuxième classe de leur grade, à dater du jour où ils en auront exercé les fonctions.

Ceux qui n'auraient pas satisfait auxdites conditions, ne recevront que le supplément, alloué par le 2<sup>me</sup> paragraphe de l'Article 28 de l'Ordonnance du 17 Mars 1824; et s'ils les remplissent avant la fin de la campagne, ils seront payés, comme il est dit ci-dessus, à dater du jour où ils les auront remplies.

Dans ce cas, ils seront, de même que ceux dont il est question au premier paragraphe, du présent Article, confirmés dans les grades qu'ils auront exercés provisoirement, lorsqu'il y aura lieu à faire un travail de proposition. Ces avancements compteront dans le nombre de ceux fixés par les Articles 56 et 57.

Les commis aux revues quartiers-mâtres tiendront note de tous les remplacements, qui auront été faits en exécution du présent Article.

67. Il pourra être accordé des avancements extraordinaires, pour des actions d'éclat constatées authentiquement. Ils ne seront point rigoureusement soumis aux conditions exigées pour les avancements ordinaires; mais, dans aucun cas, ils ne pourront avoir lieu que d'une classe à la classe immédiatement supérieure, ou de la première classe du grade inférieur, à la dernière classe du grade supérieur.

Le Conseil d'Avancement du bâtiment pourra les conférer, soit pendant la durée, soit à la fin de la campagne; ils auront provisoirement leur effet, à dater du jour où ils auront été accordés, et ne compteront point parmi les avancements généraux.

Le procès verbal de ces avancements extraordinaires sera remis par le Commandant du bâtiment au Chef Supérieur du port, pour être soumis sans délai à l'approbation de notre Ministre Secrétaire d'Etat de la Marine.

68. Il sera délivré à chaque maître, Officier-Marinier et Marine de tout grade, faisant partie ou placé à la suite d'un équipage de ligne, un livret conforme au modèle qui sera arrêté par notre Ministre Secrétaire d'Etat de la Marine.

Ce livret contiendra l'annotation des campagnes, services, avancements, actions d'éclat, blessures, &c. Il constatera les paiemens opérés

au profit des Marins; les effets qui leur auront été délivrés et les délégations qu'ils auront consenties.

69. Les Commissaires des Armemens annoteront l'avancement des gens de mer sur les rôles d'équipage, et en donneront exactement avis aux Commissaires des quartiers respectifs, pour qu'il en soit fait mention sur les matricules.

70. Il est expressément défendu à tous Officiers Militaires et d'administration d'annoter ou de reconnaître, sous quelque prétexte que ce soit, aucun avancement qui n'aurait pas eu lieu, conformément aux dispositions de la présente Ordonnance.

71. Les Conseils d'Avancement pourront proposer pour l'entretien, les premiers maîtres de manœuvre, de canonnage et de timonnerie, et les maîtres de charpentage, calfatage et voilerie, qui auront navigué au moins pendant trois années, dans la première classe de leur grade, à bord de nos vaisseaux de ligne, en tems de guerre; et en tems de paix, à bord de nos vaisseaux et de nos frégates.

Cette proposition, qui fera l'objet d'un procès-verbal séparé, sera examinée dans le Conseil d'Administration du port, et immédiatement soumise à l'approbation de notre Ministre Secrétaire-d'Etat de la Marine et des Colonies.

Quelle que soit la paye dont jouissaient lesdits maîtres, ils ne pourront être proposés, que pour la dernière classe des maîtres entretenus; mais lorsqu'ils seront embarqués, ils recevront la solde qu'ils avaient acquise à la mer.

72. Les premiers maîtres de manœuvre, de canonnage, de timonnerie et les Capitaines d'armes seront susceptibles de parvenir au grade d'enseigne de vaisseau, lorsqu'ils auront satisfait aux conditions, qui seront déterminées par un Règlement spécial.

Notre Ministre de la Marine réglera, chaque année, le nombre de places d'officier, réservées aux premiers maîtres qui auront rempli ses conditions prescrites. Jusqu'à ce qu'il en soit autrement ordonné, le nombre de ces places ne pourra être moindre de *trois par an*.

## TITRE IX.

### *Solde.*

73. La solde des maîtres, officiers mariniens et marins de nos équipages de ligne sera payée d'après les fixations, portées au tarif annexé à la présente Ordonnance.

74. Les premiers maîtres promus au grade d'Officier, recevront, à titre de première mise, la somme déterminée par les réglemens militaires.

75. Les états de paiement seront ordonnancés au nom des Conseils d'Administration qui en recevront le montant.

A cet effet, il sera établi au dépôt général et dans chaque équipage de ligne, une caisse à trois clefs, ou seront renfermées toutes les sommes

reçues par les Conseils d'Administration ; lesdites caisses seront déposées chez les Commandans respectifs du dépôt général et des équipages.

Des trois clefs de la caisse, l'une restera entre les mains du Commandant, Président du Conseil d'Administration ; l'autre sera remise à l'officier le plus élevé en grade après le Président ; la troisième au commis aux revues quartier-maître.

76. La solde pourvoira à la nourriture à terre, à l'habillement et à l'entretien des Maîtres, Officiers Mariniers et Marins composant les équipages de ligne.

77. Les officiers du dépôt et ceux des équipages casernés jouiront des appointemens de mer, alloués à leur grade par l'Ordonnance du 31 Octobre 1819. Indépendamment de cette allocation, le Commandant du dépôt général recevra l'indemnité de logement ou d'ameublement, fixée pour son grade, par les réglemens militaires.

78. Les Commandans des dépôts recevront pour frais de représentation, une indemnité de *cent francs par mois*.

Les commandans, titulaires des équipages de ligne, employés à terre, recevront pour le même objet, une indemnité de *cinquante francs par mois*.

Le paiement de cette indemnité ne commencera que lorsque la force numérique de l'équipage sera portée à 140 hommes. Il cessera dès que l'officier qui jouira de ladite indemnité, recevra une destination donnant droit au traitement de table.

79. Lorsque les équipages de ligne seront employés à terre, le décompte de la solde sera fait pour chaque jour, et lorsqu'ils seront embarqués, avec jouissance de la ration de mer, le décompte sera fait par mois de 30 jours.

Le paiement de la solde à terre des Officiers-Mariniers, et Marins du dépôt général et des équipages de ligne casernés, quel que soit le service auquel ils seront affectés, aura lieu par avance, de quinzaine en quinzaine, par les soins des Conseils d'Administration. Il sera dressé, à cet effet, des états d'effectif, comme pour nos troupes, lesquels seront soumis à la vérification et au visa du commissaire aux revues, qui, de son côté, suivra les mouvemens de tous les hommes du dépôt général et des équipages en service à terre.

80. Lorsque les équipages de ligne seront embarqués, et que la revue d'armement aura été passée, leur solde sera payée chaque mois par les soins du commissaire aux armemens, d'après les réglemens en vigueur.

81. Les supplémens à payer aux maîtres-chargés aux matelots-gabiers, chefs de pièce, chargeurs, timonniers, &c., seront acquittés conformément aux tarifs et d'après le mode prescrit par les réglemens.

Les sommes payées pour avances, à la revue du départ, et pour

a-comptes de solde pendant la campagne, seront administrées d'après le mode qui sera prescrit au titre suivant.

82. Les Marins des équipages de ligne, à qui le Ministre de la Marine aura accordé des congés, au retour des campagnes, conserveront, pendant le premier mois, la jouissance de la portion de solde, indiquée par les tarifs annexés à la présente Ordonnance.

Les hommes en convalescence jouiront de la même allocation, pendant toute la durée de leur congé : les uns et les autres ne seront rappelés de cette solde, qu'à leur rentrée au corps.

83. Les Marins qui n'auront pas rejoint leur corps, à l'expiration de leur congé, seront privés de leur solde, sans préjudice des poursuites qui seront exercées contre eux, si leur absence se prolonge au-delà des délais prescrits par les réglemens.

84. Les Officiers embarqués pourront déléguer à leurs familles, jusqu'à concurrence de la moitié de leurs appointemens, et les Marins de tous grades, le tiers de leur solde.

85. Les paiemens faits à terre, aux hommes du dépôt général, ou des équipages de ligne casernés, seront régularisés tous les trois mois, par des revues générales de liquidation, conformément à ce qui est prescrit pour nos troupes.

86. La remise des sommes déléguées par les Marins se fera exactement, à l'expiration de chaque trimestre, par les soins des commissaires préposés aux armemens ou aux revues, suivant que l'équipage sera embarqué ou caserné.

87. Il est expressément défendu aux Commandans et Officiers des équipages de ligne, ainsi qu'aux Officiers d'administration, préposés aux revues et aux armemens, d'exercer ou d'autoriser aucune retenue sur la solde des Officiers Mariniers ou Marins, si ce n'est dans les cas formellement déterminés par les Ordonnances et Réglemens, sous peine de remboursement des sommes retenues illégalement et de punition plus forte s'il y a lieu.

88. A la fin de chaque semestre, et au retour des campagnes, le Commandant de la Marine, dans ses revues d'inspection, pourra se faire accompagner par le commissaire aux revues ; il vérifiera si les hommes ont reçu, aux époques déterminées, les effets portés au règlement, s'il ne leur a été fait aucune retenue irrégulière. Il entendra leurs réclamations ; il y fera droit, s'il les juge fondées, et en rendra compte au Ministre de la Marine.

## TITRE X.

### *Avances.*

89. En cas d'embarquement, le Conseil d'Administration réservera sur les avances de solde, allouées aux marins de l'équipage, la portion qu'il croira nécessaire pour leur assurer les moyens d'acquitter leurs menues dépenses, pendant la durée de la campagne.



A cette réserve, et lorsque les bâtimens devront stationner dans des parages étrangers, où le Roi n'entretient point de Consuls, il pourra être ajouté, par forme de prévoyance, une certaine somme ultérieurement applicable, tant aux besoins du personnel qu'à ceux du matériel.

Le Conseil d'Administration comptera du tout, sous sa responsabilité, dans les formes prescrites par le règlement, qui sera arrêté par notre Ministre Secrétaire-d'Etat de la Marine et des Colonies.

## TITRE XI.

### *Conseils d'Administration.*

90. Il sera formé, dans chacun des équipages de ligne, un Conseil d'Administration qui sera composé de cinq membres, savoir : le Capitaine de frégate, Président ; deux Lieutenans de vaisseau ; un Enseigne de vaisseau ; un Premier Maître.

Le plus ancien Lieutenant de vaisseau remplira les fonctions de rapporteur ; celles de Secrétaire seront remplies, à terre et à la mer par le Commis aux Revues Quartier-maître.

91. Lorsqu'un équipage de ligne formera l'armement de deux frégates, le Conseil d'Administration de l'une d'elles sera composé :— du Commandant du bâtiment, Président ; du Capitaine de frégate commandant de l'équipage, Vice-président ; de deux Lieutenans de vaisseau, dont un rapporteur ; d'un Enseigne de vaisseau ; d'un Premier Maître. Les fonctions de Secrétaire seront remplies par le Commis aux Revues Quartier-maître.

Et le Conseil d'Administration de l'autre frégate sera composé : du Commandant du bâtiment, Président ; du plus ancien Lieutenant de vaisseau, Vice-président ; d'un Lieutenant de vaisseau, rapporteur ; de deux Enseignes de vaisseau ; d'un Premier Maître ;—Le Commis aux Revues du bâtiment remplira les fonctions de Secrétaire.

En cas de partage des voix, celle du Président prévaudra.

92. Lorsqu'un détachement d'un équipage de ligne sera embarqué sur un bâtiment de rang inférieur aux frégates, le Conseil d'Administration éventuel sera composé : du Capitaine du bâtiment, Président ; de trois Lieutenans ou Enseignes ; d'un Premier Maître ou Maître ; le Commis aux Revues remplira les fonctions de Secrétaire.

93. Les membres du Conseil d'Administration des équipages de ligne, soit à terre, soit à la mer, seront nommés par notre Ministre Secrétaire d'Etat au Département de la Marine et des Colonies, sur la proposition des Commandans des ports : ils seront renouvelés tous les ans ; mais en cas d'absence des bâtimens, ils continueront leurs fonctions jusqu'à leur retour dans un des Ports de France.

94. En cas d'absence ou de maladie, les Membres du Conseil d'Administration seront remplacés par les Officiers les plus anciens dans le même grade ; ou à défaut d'Officier du même grade, par ceux du grade immédiatement inférieur.

95. Les Conseils d'Administration seront chargés de l'administration intérieure et de la comptabilité des équipages de ligne; ils soumettront au Conseil d'Administration du Dépôt Général toutes les pièces relatives à la régularisation des dépenses de la solde à terre, et des comptes d'habillement des marins desdits équipages.

96. Lorsqu'un équipage de ligne ou une portion d'équipage devra être embarqué, les Conseils d'Administration du Dépôt Général et de l'équipage s'assembleront, sous la présidence du Major-Général de la Marine, pour vérifier la situation du corps, sous le rapport de l'habillement, et déterminer l'espèce et la quantité des effets qui devront être délivrés à l'équipage. Le compte de chaque homme sera arrêté et porté sur le registre compte courant, que le Quartier-Maître est chargé de tenir, conformément aux dispositions de l'Article 107 de la présente Ordonnance.

Le Commissaire aux Revues sera présent à cette séance et en signera le procès-verbal.

## TITRE XII.

### *Habillement.*

97. Les hommes incorporés dans les équipages de ligne, ainsi que les marins de l'inscription, appelés à y servir temporairement, seront pourvus des divers effets désignés dans le tableau ci-après :

	<i>Désignation des effets.</i>	<i>Durée.</i>
Pour les 4 Premiers Maîtres.	2 habits.....	„
	1 chapeau à cornes.....	„
	1 gilet sans manches.....	„
Pour les Maîtres	1 habit.....	18 mois.
	1 paletot .....	1 an.
	1 gilet sans manches.....	18 mois.
	2 paletots.....	1 an.
	1 capote bleue.....	2 ans.
	2 pantalons de drap.....	1 an.
	1 chapeau-casque avec sa coiffe.....	3 ans.
	1 casquette.....	1 an.
	1 sac de peau.....	3 ans.
	1 chemise de laine bleue teinte en laine...	18 mois.
	4 chemises blanches.....	„
	1 cravatte noire en soie.....	} 1 an.
	1 cravatte noire en laine.....	
Pour tout l'Equipe.	2 mouchoirs de poche.	
	2 paires de bas de laine.	
	2 paires de souliers.	
	1 sac en toile.	
	3 pantalons de toile.	
	1 paire de demi-guêtres noires.	
	1 <i>idem</i> de toile blanche.	
	1 veste blanche.	
	2 brosses, dont une à laver.	
	1 peigne.	

98. Les divers effets composant l'uniforme des marins des équipages de ligne, seront conformes aux modèles, arrêtés par notre Ministre Secrétaire-d'Etat de la Marine et des Colonies.

Les équipages seront distingués par leur numéro, appliqué sur la coiffure.

Les Premiers Maîtres et les Maîtres porteront un habit de la même forme que celui de la petite tenue des Officiers.

Les Premiers Maîtres porteront les épaulettes d'Adjudant Sous-Officier, mêlées de soie et or.

Les Maîtres porteront deux galons d'or.

Les Seconds Maîtres, un seul galon en or.

Les Quartiers-Maîtres porteront des galons en laine jaune.

Les rengagés seront distingués par des chevrons, ainsi qu'il est réglé pour nos troupes.

### TITRE XIII.

#### *Administration et comptabilité.*

99. Les Commissaires de la Marine, préposés aux revues, seront chargés de l'administration et de la comptabilité du dépôt général et des équipages de ligne casernés, jusqu'à ce que lesdits équipages soient destinés à s'embarquer.

100. Lorsque les équipages de ligne ou des portions d'équipage seront embarqués et recevront les allocations de mer, leur administration et leur comptabilité seront dévolues au commissaire des armemens, jusqu'au jour du débarquement ou de l'envoi, au dépôt général, de tout ou partie des hommes desdits équipages.

101. Les étoffes, draps, &c. nécessaires au dépôt, seront délivrés par le magasin général, sur des demandes spéciales faites par le Conseil d'Administration du dépôt, et visées par le Commissaire aux Revues.

102. La recette de ces fournitures sera faite par une commission composée de l'officier chargé de l'habillement, de deux autres officiers ainsi que du quartier-maître du dépôt général et de deux officiers des équipages de ligne, désignés à cet effet par le Commandant de la Marine. Cette commission attestera, en donnant récépissé au bas du billet de demande, la bonne qualité des objets fournis.

103. L'officier d'habillement sera chargé de la surveillance relative à la coupe et à la confection des effets, ainsi que de la tenue des écritures, pour cette partie du service.

104. Un maître tailleur, un maître cordonnier et le nombre d'ouvriers nécessaires seront attachés au dépôt pour la confection des effets.

105. Des tarifs spéciaux fixeront les quantités d'étoffes, drap, toile, &c., qui devront entrer dans la confection des divers effets, ainsi que les prix de main-d'œuvre. Ces tarifs seront arrêtés par notre Ministre Secrétaire-d'Etat de la Marine, qui réglera les prix de chaque

partie de l'habillement, de manière qu'ils soient les mêmes dans tous les ports du Royaume.

106. Dans les cas où les fournitures des étoffes, draps et autres objets nécessaires à l'habillement, ne seront point faites en vertu des marchés généraux passés par le Ministre, il y sera pourvu par des marchés particuliers passés dans les ports, et auxquels sera toujours appelé le Commandant ou un officier supérieur du dépôt général des équipages.

Dans ce dernier cas, les marchés ne seront exécutoires, qu'après l'approbation du Conseil d'Administration du port et la sanction du Ministre-Secrétaire-d'Etat de la Marine.

107. Le Conseil d'Administration du dépôt général sera comptable des étoffes, draps, &c. ainsi que des effets en provenant. Il fera à cet effet, établir des écritures par l'officier d'habillement, de manière à présenter séparément la recette des étoffes et autres objets, et leur conversion en effets, la recette de ceux-ci et leur délivrance, soit aux hommes du dépôt, soit aux équipages de ligne.

Les quartiers-maîtres du dépôt général et des équipages tiendront, sous la surveillance des Conseils d'Administration, des livrets où les dites délivrances seront inscrites par quantités et valeurs.

Ils tiendront un registre compte-courant, servant à inscrire les délivrances faites à chaque homme, leur montant et les retenues opérées, pour l'acquitter.

108. Il sera porté au crédit des hommes, appelés par la Loi du recrutement et des enrôlés volontaires, une somme de 70 fr. à titre de première mise.

109. Tous les effets d'habillement, destinés aux marins incorporés dans les équipages de ligne, seront confectionnés au dépôt général, ainsi qu'il est prescrit à l'Article 27.

Les marins de l'inscription, embarqués en supplément avec un équipage de ligne, continueront à être habillés par les soins du magasin général.

La même disposition est applicable aux équipages, uniquement formés par l'inscription maritime.

110. A l'arrivée des hommes au dépôt général, il sera fait une inspection des effets dont ils seront pourvus; et ceux de ces effets qui seront jugés susceptibles de faire partie de la composition du sac, entreront en déduction de ceux à leur fournir.

Les demandes d'effets nécessaires pour compléter le sac, seront faites par les Conseils d'Administration des équipages, et acquittées par le dépôt général.

111. Les effets ne pourront être remplacés, qu'à l'expiration de leur durée légale, à moins de circonstances extraordinaires : et dans ce cas, le remplacement ne pourra avoir lieu qu'avec l'autorisation du



Commandant Supérieur, à la mer, ou du Commandant de la Marine, dans le port.

Si, à l'époque du renouvellement légal, quelquesuns des effets étaient encore propres à servir, le remplacement en serait ajourné : l'économie qui résultera de l'excédent de leur durée, tournera au profit du marin.

112. Le montant des effets qui seront délivrés à chaque marin, sera retenu sur sa solde, dans les proportions déterminées par le tableau annexé à la présente Ordonnance.

113. Lorsque les hommes du dépôt général seront destinés à passer dans un équipage de ligne, leurs livrets seront arrêtés par le Conseil d'Administration du dépôt et par celui du corps où ils seront admis.

114. Les effets nécessaires pour le renouvellement de l'habillement, seront fournis, sur les demandes du Conseil d'Administration de chaque corps, par le dépôt général auquel il appartiendra ou par le dépôt général le plus voisin.

Dans ce dernier cas, les dépôts compteront entre eux des effets qui auront été délivrés.

115. Il sera placé à bord des bâtimens, destinés à faire campagne, un approvisionnement de précaution, en effets d'habillement, dont l'espèce et les quantités seront réglées, sur la proposition du Commandant du bâtiment, par le Commandant de la Marine ou par le Chef Maritime du Port, d'après la nature et la durée de la campagne.

116. Les quantités d'effets délivrés et leur valeur seront inscrites sur le livret d'habillement du Commis aux Revues quartier-maître, qui justifiera de leur délivrance et des retenues exercées sur la solde, par le compte courant, comparé avec le livret des hommes, et par les attestations des Commissaires des Armemens et des Revues.

#### TITRE XIV.

##### *Dispositions Générales.*

117. Les équipages de ligne, pendant leur séjour à terre, seront soumis aux dispositions des Lois et Ordonnances, concernant la discipline et la police des corps militaires de la marine et aux dispositions des lois pénales maritimes, lorsqu'ils seront embarqués.

Les jeunes gens, âgés de moins de dix-huit ans, admis provisoirement dans les équipages de ligne, seront passibles, en cas de désertion, des peines prononcées contre les novices, par les Arrêtés des 5 germinal et 1er floréal, an 12.

118. Les frais de bureau à allouer aux Conseils d'Administration des Dépôts-Généraux et des équipages de ligne, seront réglées par notre Ministre Secrétaire-d'Etat au Département de la Marine et des Colonies.

119. Des Officiers-Généraux du Corps Royal de la Marine seront

chargés, tous les ans, et aux époques qui seront déterminées, de l'inspection des dépôts généraux et des équipages de ligne.

Ces inspections porteront sur la tenue, la discipline, l'instruction desdits corps, ainsi que sur les détails de l'administration et de la comptabilité.

120. Notre Ministre Secrétaire-d'Etat de la Marine et des Colonies fera rédiger un règlement de détail, pour l'application des dispositions prescrites par la présente Ordonnance.

121. Les quatre équipages de ligne, créés par nos Ordonnances des 13 Novembre 1822, et 11 Août 1824, continueront à être administrés, jusqu'à nouvel ordre, conformément au mode prescrit par le règlement du 7 Janvier 1824.

MANDONS ET ORDONNONS à l'Amiral de France, aux Commandans et Intendans de la Marine et à tous autres qu'il appartiendra, de tenir la main à l'exécution de la présente Ordonnance.

Donné en notre Château de Saint Cloud, le 2<sup>e</sup> jour du mois d'Octobre de l'An de Grâce 1825, et de notre Règne le Second.

CHARLES.

Par le Roi,

*Le Pair de France, Ministre-Secrétaire-d'Etat de la Marine et des Colonies.*

Comte DE CHABROL

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LOUIS-ANTOINE, FILS DE FRANCE, DAUPHIN, AMIRAL DE FRANCE.

Vu l'Ordonnance ci-dessus à nous adressée ;

MANDONS ET ORDONNONS aux Commandans, Intendans et Ordonnateurs, Officiers Civils et Militaires de la Marine, et à tous autres qu'il appartiendra, de tenir la main à l'exécution de la présente Ordonnance.

Donné au Château de Saint-Cloud, le 3 Octobre 1825.

LOUIS-ANTOINE.

Par Monsieur le Dauphin, Amiral de France,

Le Chevalier DE PANAT.

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**TARIF de la Solde des Equipages de Ligne et des Compagnies du  
Dépôt-Général.**

G R A D E S.		SOLDE		SOLDE NETTE,				SOLDE de congé et de conva- lescence par jour.	
		BRUTE.		avec le pain à terre.					
				par mois.		par jour.			
		f.	c.	f.	c.	f.	c.	f.	c.
Premiers maîtres de manœuvre, canonnage et timonnerie....	1re. classe..	90	„	87	34	2	910	1	288
	2e id.....	81	„	78	57	2	619	1	142
Capitaine d'armes.....	1re classe..	81	„	78	57	2	619	1	142
	2e id.....	72	„	69	84	2	328	„	997
Maîtres charpentiers, calfâts et voiliers .....	1re classe..	81	„	78	57	2	619	1	142
	2e id.....	72	„	69	84	2	328	„	997
Maîtres armuriers-forgerons ...	1re classe..	60	„	58	20	1	940	„	820
	2e id.....	54	„	52	38	1	746	„	723
Maîtres tailleurs-guêtriers.....		21	65	21	„	„	700	„	211
Maîtres cordonniers.....		21	65	21	„	„	700	„	211
Seconds maîtres de manœuvre, canonnage et timonnerie....	1re classe..	69	„	66	93	2	231	„	965
	2e id.....	60	„	58	20	1	940	„	820
Seconds maîtres de charpentage, calfâtage et voilerie .....	1re classe..	60	„	58	20	1	940	„	820
	2e id.....	54	„	52	38	1	746	„	723
Quartiers-maîtres de manœuvre, canonnage et timonnerie....	1re classe..	42	„	40	74	1	358	„	540
	2e id.....	36	„	34	92	1	164	„	443
Quartiers-maîtres de charpen- tage, calfâtage et voilerie....	1re classe..	39	„	37	83	1	261	„	491
	2e id.....	33	„	32	01	1	067	„	393
Matelots.....	1re classe..	30	„	29	10	„	970	„	346
	2e id.....	27	„	26	19	„	873	„	297
	3e id.. .	24	„	23	28	„	776	„	249
Apprentis-marins.....		21	65	21	„	„	700	„	211
Mousses.....		18	10	17	56	„	585	„	200

**OBSERVATIONS.**

Les marins de l'inscription, qui seront appelés temporairement dans les équipages de ligne, recevront, indépendamment de la solde fixée par le présent tarif, une somme de trente-cinq centimes, *par jour*, à titre d'indemnité de vivres.

Cette allocation cessera, lorsqu'ils jouiront de la ration en nature.

Il sera prélevé, sur la solde des hommes des équipages de ligne, *pour l'ordinaire*, une somme égale à celle payée par les Sous-Officiers et Soldats des Régimens stationnés dans les mêmes lieux.

Les retenues, pour l'habillement, seront opérées, dans les proportions suivantes, jusqu'à parfait paiement des effets délivrées, savoir :

Premiers maîtres, capitaines d'armes et maîtres de professions..... 10f. „c. par mois,  
Maîtres-armuriers-forgerons, et seconds maîtres de tous grades et professions..... 9 „ id.

Quartiers-mâtres, matelots et apprentis-marins... 8f.33c. par mois.

Mousses..... 5 56 *id.*

Et pour les marins de l'inscription, admis temporairement dans les équipages et auxquels il n'est pas alloué de première mise :

Premiers maîtres, capitaines d'armes et maîtres de

professions..... 14 „ *id.*

Maîtres-armuriers-forgerons, et seconds maîtres de

tous grades et professions..... 13 „ *id.*

Quartiers-mâtres, matelots et apprentis-marins... 12 22 *id.*

Mousses..... 8 15 *id.*

Lorsque les équipages de ligne seront embarqués, la retenue sera augmentée d'un tiers, pour les hommes incorporés seulement.

Il pourra être exercé sur la solde des hommes qui en formeront la demande, une retenue plus considérable, de manière qu'ils soient plus promptement libérés envers l'Etat. Leur empoche s'accroîtra du montant des retenues, lorsqu'elles cesseront d'être opérées.

A la mer, les équipages recevront la solde, déterminée par la première colonne du présent tarif.

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**CONVENTION of Peace, Amity, Navigation and Commerce, between The United States and Colombia.—Signed at Bogotá, 3d October, 1824.**

WHEREAS a General Convention of Peace, Amity, Navigation, and Commerce, between The United States of America and the Republic of Colombia, was concluded and signed, at Bogotá, on the 3d day of October, in the year of our Lord, 1824; which Convention, being in the English and Spanish languages, is word for word as follows :

*General Convention of Peace, Amity, Navigation, and Commerce, between The United States of America and the Republic of Colombia.*

*Convencion Jeneral de Paz, Amistad, Navegacion, y Comercio entre la Republica de Colombia y los Estados-Unidos de America.*

IN THE NAME OF GOD, AUTHOR AND  
LEGISLATOR OF THE UNIVERSE.

EN EL NOMBRE DE DIOS AUTOR Y  
LEJISLADOR DEL UNIVERSO.

The United States of America, and the Republic of Colombia, desiring to make lasting and firm the friendship and good understanding which happily prevails between both Nations, have resolved to fix, in a manner clear, distinct, and positive, the rules which shall in future be religiously observed between the one and the

La Republica de Colombia, y los Estados-Unidos de America, deseando hacer duradera y firme la amistad y buena inteligencia que felizmente existe entre ambas Potencias, han resuelto fijar de una manera clara, distinta y positiva las reglas que deben observar religiosamente en lo venidero, por medio de un Tratado, o Con-



other, by means of a Treaty or General Convention of Peace, Friendship, Commerce, and Navigation.

For this most desirable object, the President of The United States of America has conferred Full Powers on Richard Clough Anderson, Junior, a Citizen of the said States, and their Minister Plenipotentiary to the said Republic; and the Vice-President of the Republic of Colombia, charged with the Executive Power, on Pedro Gual, Secretary of State and of Foreign Relations, who, after having exchanged their said Full Powers in due and proper form, have agreed to the following Articles:

I. There shall be a perfect, firm, and inviolable Peace and sincere Friendship between The United States of America and the Republic of Colombia, in all the extent of their Possessions and Territories, and between their People and Citizens respectively, without distinction of Persons or Places.

II. The United States of America and the Republic of Colombia desiring to live in peace and harmony with all the other Nations of the Earth, by means of a policy frank and equally friendly with all, engage mutually not to grant any particular favour to other Nations in respect of Commerce and Navigation, which shall not immediately become common to the other Party, who shall enjoy the

vencion Jeneral de Paz, Amistad, Comercio y Navegacion.

Con este muy deseable objeto, el Vice-Presidente de la Republica de Colombia encargado del Poder Ejecutivo, ha conferido Plenos Poderes á Pedro Gual, Secretario de Estado y del Despacho de Relaciones Exteriores de la misma, y el Presidente de los Estados-Unidos de America á Ricardo Clough Anderson, el menor, Ciudadano de dichos Estados, y su Ministro Plenipotenciario cerca de la dicha Republica; quienes despues de haber canjeado sus espresados Plenos Poderes en debida y buena forma, han convenido en los Articulos siguientes:

I. Habrá una Paz, perfecta, firme, é inviolable y Amistad sincera entre la Republica de Colombia y los Estados-Unidos de America, en toda la estencion de sus Posesiones y Territorios, y entre sus Pueblos y Ciudadanos respectivamente sin distincion de Personas, ni Lugares.

II. La Republica de Colombia, y los Estados-Unidos de America, deseando vivir en paz y harmonia con las demas Naciones de la tierra, por medio de una politica franca, é igualmente amistosa con todas, se obligan mutuamente á no conceder favores particulares á otras Naciones, con respecto á comercio y navegacion, que no se hagan inmediatamente comun á una ú otra, quien gozará de los mismos

same freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

III. The Citizens of The United States may frequent all the Coasts and Countries of the Republic of Colombia, and reside and trade there, in all sorts of produce, manufactures, and merchandise, and shall pay no other or greater duties, charges or fees, whatsoever, than the most favoured Nation is or shall be obliged to pay; and they shall enjoy all the rights, privileges, and exemptions in Navigation and Commerce, which the most favoured Nation does or shall enjoy, submitting themselves, nevertheless, to the laws, decrees, and usages, there established, and to which are submitted the Subjects and Citizens of the most favoured Nations.

In like manner the Citizens of the Republic of Colombia may frequent all the Coasts and Countries of The United States, and reside and trade there, in all sorts of produce, manufactures, and merchandise, and shall pay no other or greater duties, charges, or fees, whatsoever, than the most favoured Nation is or shall be obliged to pay; and they shall enjoy all the rights, privileges, and exemptions in navigation and commerce, which the most favoured Nation does or shall enjoy, submitting themselves, nevertheless, to the laws, decrees, and usages, there established, and to which are submitted the Subjects and Citizens of the most favoured Nations.

libremente, si la concesion fuese hecha libremente, ó prestando la misma compensacion, si la concesion fuere condicional.

III. Los Ciudadanos de la Republica de Colombia podrán frecuentar todas las Costas y Países de los Estados-Unidos de America, y residir, y traficar en ellos con toda suerte de producciones, manufacturas, y mercaderias, y no pagarán otros, ó mayores derechos, impuestos, ó emolumentos cualesquiera que los que las Naciones mas favorecidas están ó estuvieren obligadas á pagar; y gozarán todos los derechos, privilegios y esenciones, que gozan ó gozaren los de la Nacion mas favorecida, con respecto á navegacion y comercio, sometiendo, no obstante, á las leyes, decretos, y usos establecidos, á los cuales estan sujetos los Subditos ó Ciudadanos de las Naciones mas favorecidas.

Del mismo modo los Ciudadanos de los Estados-Unidos de America podrán frecuentar todas las costas y países de la Republica de Colombia, y residir y traficar en ellos con toda suerte de producciones, manufacturas, y mercaderias, y no pagarán otros ó mayores derechos, impuestos, ó emolumentos cualesquiera, que los que las Naciones mas favorecidas, están ó estuvieren obligadas á pagar, y gozarán de todos los derechos, privilegios y esenciones, que gozan ó gozaren los de la Nacion mas favorecida con respecto á navegacion y comercio, sometiendo, no obstante, á las leyes, decretos y usos establecidos, á los cuales estan sujetos los

IV. It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other Citizens of both Countries, to manage themselves their own business in all the Ports and Places subject to the jurisdiction of each other, as well with respect to the consignment and sale of their goods and merchandise by wholesale or retail, as with respect to the loading, unloading, and sending off their Ships, they being in all these cases to be treated as Citizens of the Country in which they reside, or at least to be placed on a footing with the Subjects or Citizens of the most favoured Nation.

V. The Citizens of neither of the Contracting Parties shall be liable to any embargo, nor be detained with their Vessels, cargoes, merchandises, or effects, for any military expedition, nor for any public or private purpose whatever, without allowing to those interested a sufficient indemnification.

VI. Whenever the Citizens of either of the Contracting Parties shall be forced to seek refuge or asylum in the Rivers, Bays, Ports, or Dominions, of the other, with their Vessels, whether merchant or of war, public or private, through stress of weather, pursuit of pirates, or enemies, they shall be received and treated with humanity, giving to them all favour and protection for repairing their Ships, procuring provisions, and placing themselves in a situation

Subditos ó Ciudadanos de las Naciones mas favorecidas.

IV. Se conviene ademas, que será enteramente libre y permitido, á los Comerciantes, Comandantes de Buques, y otros Ciudadanos de ambos Paises, el manejar sus negocios, por si mismos, en todos los puertos y lugares sujetos á la jurisdiccion de uno ú otro, asi respecto á las consignaciones y ventas por mayor y menor de sus efectos y mercaderias, como de la carga, descarga y despacho de sus Buques, debiendo en todos estos casos, ser tratados como Ciudadanos del Pais en que residan, ó al menos puestos sobre un pie igual con los Subditos ó Ciudadanos de las Naciones mas favorecidas.

V. Los Ciudadanos de una ú otra parte, no podrán ser embarcados ni detenidos con sus embarcaciones, tripulaciones, mercaderias, y efectos comerciales de su pertenencia, para alguna expedicion militar, usos publicos, ó particulares cualesquiera que sean, sin conceder á los interesados una suficiente indemnizacion.

VI. Siempre que los Ciudadanos de alguna de las Partes Contratantes se vieren precisados á buscár refugio, ó asilo en los Rios, Bahias, Puertos, ó Dominios de la otra, con sus Buques, ya sean mercantes, ó de guerra, publicos ó particulares, por mal tiempo, persecucion de piratas ó enemigos, serán recibidos y tratados con humanidad, dandoles todo favor y proteccion, para reparar sus Buques, procurar viveres, y ponerse en situacion de con-

to continue their voyage without obstacle or hindrance of any kind.

VII. All the Ships, merchandise, and effects belonging to the Citizens of one of the Contracting Parties, which may be captured by Pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the Rivers, Roads, Bays, Ports or Dominions, of the other, shall be delivered up to the owners, they proving in due and proper form their rights before the competent Tribunals; it being well understood that the Claim should be made within the term of one year by the Parties themselves, their Attorneys, or Agents of the respective Governments.

VIII. When any Vessel belonging to the Citizens of either of the Contracting Parties shall be wrecked, foundered, or shall suffer any damage on the Coasts, or within the Dominions of the other, there shall be given to them all assistance and protection in the same manner which is usual and customary with the Vessels of the Nation where the damage happens, permitting them to unload the said Vessel, if necessary, of its merchandises and effects, without exacting for it any duty, impost, or contribution whatever, until they may be exported.

IX. The Citizens of each of the Contracting Parties shall have power to dispose of their personal goods within the jurisdiction of the other, by sale, donation, testament, or otherwise, and their re-

tinuar su viaje, sin obstaculo ó estorbo de ningun genero.

VII. Todos los Buques, mercaderias y efectos pertenecientes á los Ciudadanos de una de las Partes Contratantes, que sean apresados por Piratas, bien sea dentro de los limites de su jurisdiccion, ó en alta mar, y fueren llevados, ó hallados en los Rios, Radas, Bahias, Puertos, ó Dominios de la otra, serán entregados á sus dueños, probando estos en la forma propia y debida sus derechos ante los Tribunales competentes; bien entendido que el reclamo ha de hacerse dentro del termino de un año, por las mismas Partes, sus Apoderados ó Agentes de los respectivos Gobiernos.

VIII. Cuando algun Buque perteneciente á los Ciudadanos de alguna de las Partes Contratantes, naufrague, encalle, ó sufra alguna averia, en las Costas, ó dentro de los Dominios de la otra, se les dará toda ayuda y proteccion, del mismo modo que es uso y costumbre, con los Buques de la Nacion en donde suceda la averia; permitiendoles descargar el dicho Buque (si fuere necesario) de sus mercaderias y efectos, sin cobrar por esto hasta que sean esportados, ningun derecho, impuesto ó contribucion.

IX. Los Ciudadanos de cada una de las Partes Contratantes, tendrán pleno poder para disponer de sus bienes personales dentro de la jurisdiccion de la otra, por venta, donacion, testamento, ó de



presentatives, being Citizens of the other Party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the Inhabitants of the Country, wherein the said goods are, shall be subject to pay in like cases: and if, in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance, on account of their character of aliens, there shall be granted to them the term of three years to dispose of the same, as they may think proper, and to withdraw the proceeds without molestation, and exempt from all rights of deduction, on the part of the Government of the respective States.

X. Both the Contracting Parties promise and engage, formally to give their special protection to the persons and property of the Citizens of each other, of all occupations, who may be in the Territories subject to the jurisdiction of the one or the other, transient or dwelling therein, leaving open and free to them the Tribunals of Justice for their judicial recourse, on the same terms which are usual and customary with the Natives or Citizens of the Country in which they may be; for which they may employ in defence of their rights such Advocates, Solicitors, Notaries, Agents, and Factors, as they may judge proper, in all their trials at law; and such Citi-

otro modo; y sus representantes, siendo Ciudadanos de la otra Parte, succederán á sus dichos bienes personales, ya sea por testamento ó *ab intestato*, y podran tomar posesion de ellos, ya sea por si mismos, ó por otros, que obren por ellos, y disponer de los mismos, segun su voluntad, pagando aquellas cargas solamente, que los Habitantes del Pais en donde estan los referidos bienes, estuvieren sujetos á pagar en iguales casos. Y si en el caso de bienes raices, los dichos herederos fuesen impedidos de entrár en la posesion de la herencia por razon de su caracter de extranjeros, se les dará el termino de tres años, para disponer de ella como juzguen conveniente, y para extraér el producto sin molestia, y esentos de todo derecho de deduccion, por parte del Gobierno de los respectivos Estados.

X. Ambas Partes Contratantes se comprometen y obligan formalmente á dar su proteccion especial á las personas y propiedades de los Ciudadanos de cada una reciprocamente transeuntes ó Habitantes de todas ocupaciones, en los Territorios sujetos á la jurisdiccion de una y otra, dejandoles abiertos y libres los Tribunales de justicia, para sus recursos judiciales, en los mismos terminos que son de uso y costumbre para los naturales ó Ciudadanos del Pais en que residan; para lo cual, podrán emplear en defensa de sus derechos aquellos Abogados, Procuradores, Escribanos, Agentes, ó Factores que juzguen conveniente, en todos sus asuntos

zens or Agents shall have free opportunity to be present at the decisions and sentences of the Tribunals, in all cases which may concern them, and likewise at the taking of all examinations and evidence which may be exhibited in the said trials.

XI. It is likewise agreed that the most perfect and entire security of conscience shall be enjoyed by the Citizens of both the Contracting Parties in the Countries subject to the jurisdiction of the one and the other, without their being liable to be disturbed or molested on account of their religious belief, so long as they respect the Laws and established usages of the Country. Moreover, the bodies of the Citizens of one of the Contracting Parties, who may die in the Territories of the other, shall be buried in the usual burying grounds, or in other decent and suitable places, and shall be protected from violation or disturbance.

XII. It shall be lawful for the Citizens of The United States of America and of the Republic of Colombia to sail with their Ships, with all manner of liberty and security, no distinction being made, who are the proprietors of the merchandises laden thereon, from any Port to the Places of those who now are or hereafter shall be at enmity with either of the Contracting Parties. It shall likewise be lawful for the Citizens aforesaid to sail with the Ships and merchandises beforementioned, and to trade with the same

y litigios; y dichos Ciudadanos ó Agentes tendrán la libre facultad de estar presentes en las decisiones y sentencias de los Tribunales, en todos los casos que les conciernan, como igualmente al tomar todos los exámenes y declaraciones que se ofrezcan en los dichos litigios.

XI. Se conviene igualmente en que los Ciudadanos de ambas Partes Contratantes gozen la mas perfecta y entera seguridad de conciencia en los Países sujetos á la jurisdiccion da una ú otra, sin quedar por ello espuestos á ser inquietados ó molestados en razon de su creencia religiosa; mientras que respeten las leyes y usos establecidos. Ademas de esto, podrán sepultarse los cadáveres de los Ciudadanos de una de las Partes Contratantes, que fallecieren en los Territorios de la otra, en los cementerios acostumbrados, ó en otros lugares decentes, y adecuados, los cuales, serán protegidos contra toda violacion ó trasterno.

XII. Será lícito á los Ciudadanos de la Republica de Colombia, y de los Estados-Unidos de America, navegár con sus Buques, con toda seguridad y libertad, de cualquiera puerto á las plazas ó lugares de los que son ó fueren en adelante enemigos de cualquiera de las dos Partes Contratantes, sin hacerse distincion de quienes son los dueños de las mercaderias cargadas en ellos. Será igualmente lícito á los referidos Ciudadanos navegár con sus Buques y mercaderias mencionadas y traficár con la misma

liberty and security, from the Places, Ports, and Havens, of those who are enemies of both or either Party, without any opposition or disturbance whatsoever, not only directly from the Places of the enemy, beforementioned, to neutral Places, but also from one Place belonging to an enemy to another Place belonging to an enemy, whether they be under the jurisdiction of one Power or under several. And it is hereby stipulated, that free Ships shall also give freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the Ships belonging to the Citizens of either of the Contracting Parties, although the whole lading, or any part thereof, should appertain to the enemies of either, contraband goods being always excepted. It is also agreed, in like manner, that the same liberty be extended to Persons who are on board a free Ship, with this effect, that although they be Enemies to both or either Party, they are not to be taken out of that free Ship, unless they are Officers or Soldiers, and in the actual service of the Enemies: provided, however, and it is hereby agreed, that the Stipulations in this Article contained, declaring that the Flag shall cover the property, shall be understood as applying to those Powers only who recognise this principle; but if either of the two Contracting Parties shall be at War, with a third, and the other Neutral, the Flag of the Neutral shall co-

libertad y seguridad, de los lugares, puertos y enseñas de los enemigos de ambas Partes, ó de alguna de ellas, sin ninguna oposicion, ó disturbio cualquiera, no solo directamente de los lugares de enemigo arriba mencionados á lugares neutros, sino tambien de un lugar perteneciente á un enemigo, á otro enemigo, ya sea que esten bajo la jurisdiccion de una potencia, ó bajo la de diversas. Y queda aqui estipulado, que los Buques libres, dan tambien libertad á las mercaderias, y que se ha de considerar libre y esento todo lo que se hallare á bordo de los Buques pertenecientes á los Ciudadanos de cualquiera de las Partes Contratantes, aunque toda la carga ó Parte de ella pertenezca á enemigos de una ú otra, eceptuando siempre los articulos de contrabando de guerra. Se conviene tambien del mismo modo, en que la misma libertad se estienda á las Personas que se encuentren á bordo de Buques libres, con el fin de que aunque dichas Personas sean enemigos de ambas Partes ó de alguna de ellas, no deban ser estraidos de los Buques libres, á menos que sean Oficiales ó Soldados en actual servicio de los enemigos: á condicion no obstante, y se conviene aqui en esto, que las estipulaciones contenidas en el presente Artículo, declarando que el Pabellon cubre la propiedad, se entenderán aplicables solamente á aquellas Potencias que reconocen este principio; pero si alguna de las dos Partes Contratantes, estuviere en guerra con una tercera, y

ver the property of Enemies whose Governments acknowledge this principle, and not of Others.

XIII. It is likewise agreed, that in the case where the neutral Flag of one of the Contracting Parties shall protect the property of the Enemies of the Other, by virtue of the above Stipulation, it shall always be understood that the neutral property found on board such Enemy's Vessels shall be held and considered as Enemy's property, and as such shall be liable to detention and confiscation, except such property as was put on board such Vessel before the Declaration of War, or even afterwards, if it were done without the knowledge of it; but the Contracting Parties agree, that two months having elapsed after the Declaration, their Citizens shall not plead ignorance thereof. On the contrary, if the Flag of the Neutral does not protect the Enemy's property, in that case the goods and merchandises of the Neutral, embarked in such Enemy's Ships, shall be free,

XIV. This liberty of navigation and commerce shall extend to all kinds of merchandises, excepting those only which are distinguished by the name of contraband, and under this name of contraband, or prohibited goods, shall be comprehended:—

1st. Cannons, mortars, howitzers, swivels, blunderbusses, mus-

la otra permaneciese neutrál, la bandera de la neutral cubrirá la propiedad de los enemigos, cuyos Gobiernos reconozcan este principio, y no de otros.

XIII. Se conviene igualmente que en el caso de que la bandera neutrál de una de las Partes Contratantes proteja las propiedades de los enemigos de la otra en virtud de lo estipulado arriba, deberá siempre entenderse, que las propiedades neutrales encontradas á bordo de tales Buques enemigos, han de tenerse y considerarse como propiedades enemigas, y como tales, estarán sujetas á detencion, y confiscacion; esceptuando solamente aquellas propiedades que hubiesen sido puestas á bordo de tales Buques antes de la declaracion de la guerra, y aun despues, si hubiesen sido embarcadas en dichos Buques, sin tener noticia de la guerra; y se conviene, que pasados dos meses despues de la declaracion, los Ciudadanos de una y otra Parte no podrán alegar que la ignoraban. Por el contrario, si la bandera neutral, no protegiese las propiedades enemigas, entonces serán libres los efectos y mercaderias de la Parte neutrál, embarcadas en Buques enemigos.

XIV. Esta libertad de navegacion y comercio se estenderá á todo genero de mercaderias, eceptuando aquellas solamente, que se distinguen con el nombre de contrabando, y bajo este nombre de *contrabando* ó efectos prohibidos se comprenderán:

1º Cañones, morteros, obuces, pedreros, trabucos, mosquetes, fu-



kets, fuzees, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, and granades, bombs, powder, matches, balls, and all other things belonging to the use of these arms;

2dly. Bucklers, helmets, breast-plates, coats of mail, infantry belts, and clothes made up in the form and for a military use;

3dly. Cavalry belts, and horses with their furniture;

4thly. And generally all kinds of arms and instruments of iron, steel, brass, and copper, or of any other materials manufactured, prepared, and formed, expressly to make War by sea or land.

XV. All other merchandises and things not comprehended in the articles of contraband explicitly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful Commerce, so that they may be carried and transported in the freest manner by both the Contracting Parties, even to Places belonging to an Enemy, excepting only those Places which are at that time besieged or blocked up; and to avoid all doubt in this particular, it is declared that those Places only are besieged or blockaded which are actually attacked by a Belligerent force capable of preventing the entry of the Neutral.

XVI. The articles of contraband, before enumerated and classified, which may be found in a

siles, rifles, carabinas, pistolas, picas, espadas, sables, lanzas, chuzos, alabardas, y granadas, bombas, polvora, mechas, balas, con las demas cosas correspondientes al uso de estas armas;

2º. Escudos, casquetes, corazas, cotas de malla, fornituras, y vestidos hechos en forma, y á usanza militar;

3º. Bandoleras, y caballos junto con sus armas y arneses;

4º. Y generalmente toda especie de armas, é instrumentos de hierro, acero, bronce, cobre, y otras materias cualesquiera, manufacturadas, preparadas, y formadas espresamente para hacer la guerra por mar, ó tierra.

XV. Todas las demas mercaderias, y efectos no comprendidos en los articulos de contrabando esplicitamente enumerados, y clasificados en el Articulo anterior, serán tenidos, y reputados por libres, y de licito y libre Comercio, de modo, que ellos puedan ser transportados, y llevados de la manera mas libre, por los Ciudadanos de ambas Partes Contratantes, aun á los lugares pertenecientes á un enemigo de una ú otra, eceptuando solamente aquellos lugares ó plazas, que están al mismo tiempo sitiadas ó bloqueadas: y para evitar toda duda en el particular, se declaran sitiadas ó bloqueadas á aquellas plazas, que en la actualidad estuviesen atacadas por una fuerza de un beligerante capaz de impedir la entrada del neutral.

XVI. Los articulos de contrabando antes enumerados y clasificados, que se hallen en un buque

vessel bound for an Enemy's Port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that the Owners may dispose of them as they see proper. No vessel of either of the two Nations shall be detained on the high seas on account of having on board articles of contraband, whenever the Master, Captain, or Supercargo of said vessel will deliver up the articles of contraband to the Captor, unless the quantity of such articles be so great and of so large a bulk, that they cannot be received on board the capturing ship without great inconvenience; but in this, and in all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe Port, for trial and judgment according to law.

XVII. And whereas it frequently happens that vessels sail for a Port or Place belonging to an Enemy, without knowing that the same is besieged, blockaded, or invested, it is agreed, that every vessel so circumstanced may be turned away from such Port or Place, but shall not be detained, nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such Blockade or investment from the Commanding Officer of the blockading forces, she shall again attempt to enter; but she shall be permitted to go to any other Port or Place she shall think proper. Nor shall any vessel of Either, that may have entered into such Port before the same was actually be-

destinado á Puerto enemigo estarán sujetos á detencion y confiscacion; dejando libre el resto del cargamento y el buque, para que los dueños puedan disponer de ellos como lo crean conveniente. Ningun buque de cualquiera de las dos Naciones, será detenido, por tener á bordo articulos de contrabando, siempre que el Maestre, Capitan, ó Sobrecargo de dicho buque quiera entregár los articulos de contrabando al apresador, á menos que la cantidad de estos articulos sea tan grande y de tanto volumen, que no puedan sér recibidos á bordo del buque apresador, sin grandes inconvenientes; pero en este, como en todos los otros casos de justa detencion, el buque detenido será enviado al Puerto mas inmediato, comodo, y seguro, para ser juzgado y sentenciado conforme á las leyes.

XVII. Y por cuanto frecuentemente sucede que los buques navegan para un Puerto ó Lugar perteneciente á un enemigo, sin saber que aquel esté sitiado, bloqueado ó investido, se conviene en que todo buque en estas circunstancias se pueda hacer volver de dicho Puerto, ó Lugar; pero no será detenido, ni confiscada parte alguna de su cargamento, no siendo contrabando; á menos que despues de la intimacion de semejante bloqueo ó ataque, por el Comandante de las fuerzas bloqueadoras, intentase otra vez entrar; pero le será permitido ir á qualquiera otro Puerto, ó Lugar que juzque conveniente. Ni ningun buque de una de las Partes, que haya entrado en seme-

sieged, blockaded, or invested by the Other, be restrained from quitting such Place with her cargo; nor if found therein after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

XVIII. In order to prevent all kind of disorder in the visiting and examination of the ships and cargoes of both the Contracting Parties on the high seas, they have agreed mutually, that whenever a vessel of war, public or private, shall meet with a neutral of the other Contracting Party, the first shall remain out of cannon-shot, and may send its boat with two or three men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill-treatment, for which the Commanders of the said armed ships shall be responsible with their persons and property; for which purpose the Commanders of said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit. And it is expressly agreed that the neutral Party shall in no case be required to go on board the examining vessel, for the purpose of exhibiting her papers, or for any other purpose whatever.

XIX. To avoid all kind of vexation and abuse in the examination of the papers relating to

jante Puerto, ó Lugar, antes que estuviese sitiado, bloqueado, ó envestido por la otra, será impedido de dejar el tal lugar con su cargamento, ni si fuere hallado allí despues de la rendicion y entrega de semejante lugar, estará el tal buque ó su cargamento, sujeto á confiscacion sino que serán restituidos á sus dueños.

XVIII. Para evitar todo genero de desorden en la visita, y examen de los buques y cargamentos de ambas Partes Contratantes en alta mar, han convenido mutuamente, que siempre que un buque de guerra, publico ó particular se emonstrase con un neutral de la otra Parte Contratante, el primero permanecerá fuera de tiro de cañon, y podrá mandar su bote, con dos ó tres hombres solamente, para ejecutár el dicho examen de los papeles concernientes á la propiedad y carga del buque, sin ocasionár la menor estorcion, violencia ó mal tratamiento, por lo que los Comandantes del dicho buque armado serán responsables, con sus personas y bienes; á cuyo efecto los Comandantes de buques armados, por cuenta de particulares, estarán obligados antes de entregarseles sus comisiones ó patentes, á dar fianza suficiente para responder de los perjuicios que causen. Y se ha convenido expresamente, que en ningún caso se exigira á la Parte neutrál, que vaya á bordo del buque examinador con el fin de exhibir sus papeles, ó para cualquiera otro objeto sea el que fuere.

XIX. Para evitar toda clase de vejamen y abuso en el examen de los papeles relativos á la pro-

the ownership of the vessels belonging to the Citizens of the two Contracting Parties, they have agreed, and do agree, that in case one of them should be engaged in war, the ships and vessels belonging to the Citizens of the other must be furnished with Sea-letters or Passports, expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master or commander of said vessel, in order that it may thereby appear that the ship really and truly belongs to the Citizens of one of the Parties; they have likewise agreed that, such ships being laden, besides the said Sea-letters or Passports, shall also be provided with Certificates, containing the several particulars of the cargo, and the Place whence the ship sailed, so that it may be known whether any forbidden or contraband goods be on board the same; which Certificates shall be made out by the Officers of the place whence the Ship sailed, in the accustomed form; without which requisites, said Vessel may be detained to be adjudged by the competent Tribunal, and may be declared legal Prize, unless the said defect shall be satisfied or supplied by testimony entirely equivalent.

XX. It is further agreed that the Stipulations above expressed, relative to the visiting and examination of Vessels, shall apply only to those which sail without convoy; and when said Vessel shall be under convoy, the verbal declaration of the Commander of the convoy, on

piedad de los buques pertenecientes á los Ciudadanos de las dos Partes Contratantes, han convenido y convienen, que en caso de que una de ellas estuviere en guerra, los buques, y bajeles pertenecientes á los Ciudadanos de la otra, serán provistos con letras de mar, ó pasaportes, espresando el nombre, propiedad y tamaño del buque, como tambien el nombre y lugar de la residencia del maestro, ó comandante, á fin de que se vea que el buque, real y verdaderamente pertenece á los Ciudadanos de una de las Partes; y han convenido igualmente, que estando cargados los espresados buques, ademas de las letras de mar, ó pasaportes, estarán tambien provistos de certificados, que contengan los por menores del cargamento, y el lugar de donde salió el buque, para que asi pueda saberse, si hay á su bordo algunos efectos prohibidos ó de contrabando, cuyos certificados serán hechos per los Oficiales del lugar de la procedencia del buque, en la forma acostumbrada, sin cuyos requisitos el dicho buque puede ser detenido, para ser juzgado por el Tribunal competente, y puede ser declarado buena presa, á menos que satisfagan ó suplan el defecto con testimonios enteramente equivalentes.

XX. Se ha convenido ademas, que las estipulaciones anteriores, relativas al examen y visita de buques, se aplicarán solamente á los que navegan sin conboy y que cuando los dichos buques estavieren bajo de conboy, será bastante la declaracion verbal del Coman-



**his word of honour, that the Vessels under his protection belong to the Nation whose Flag he carries—and when they are bound to an Enemy's Port that they have no contraband goods on board, shall be sufficient.**

**XXI.** It is further agreed, that in all cases the established Courts for prize causes, in the Country to which the Prizes may be conducted, shall alone take cognisance of them. And whenever such Tribunal of either Party shall pronounce judgment against any Vessel or goods, or property claimed by the Citizens of the other Party, the Sentence or Decree shall mention the reasons or motives on which the same shall have been founded, and an authenticated copy of the Sentence or Decree, and of all the proceedings in the Case, shall, if demanded, be delivered to the Commander or Agent of said Vessel, without any delay, he paying the legal fees for the same.

**XXII.** Whenever one of the Contracting Parties shall be engaged in War with another State, no Citizen of the other Contracting Party shall accept a Commission, or Letter of Marque, for the purpose of assisting or co-operating hostilely, with the said Enemy, against the said Party so at war, under the pain of being treated as a Pirate.

**XXIII.** If, by any fatality which cannot be expected, and which God forbid, the two Contracting Parties should be engaged in a war with each other, they

dante del Conboy, bajo su palabra de honor, de que los buques que están bajo su proteccion pertenecen á la Nacion, cuya bandera llevan, y euando se derijen á un puerto enemigo, que los dichos buques no tienen á su bordo articulos de contrabando de guerra.

**XXI.** Se ha convenido ademas, que en todos los casos que ocurran, solo los Tribunales establecidos para causas de presas, en el pais á que las presas sean conducidas, tomarán conocimiento de ellas. Y siempre que semejante Tribunal de cualquiera de las partes, pronunciase sentencia contra algun buque, ó efectos, ó propiedad reclamada por los Ciudadanos de la otra Parte, la sentencia ó decreto hará mencion de las razones ó motivos en que aquella se haya fundado, y se entregará sin demora alguna al Comandante ó Agente de dicho buque, si lo solicitase, un testimonio autentico de la sentencia, ó decreto, ó de todo el proceso, pagando por el los derechos legales.

**XXII.** Siempre que una de las Partes Contratantes estuviere empenada en guerra, con otro Estado, ningun Ciudadano de la otra Parte contratante aceptará una comision ó letra de marca para el objeto de ayodár ó co-operar hostilmente con el dicho enemigo, contra la dicha Parte que este asi en guerra, bajo la pena de ser tratado como Pirata.

**XXIII.** Si por alguna fatalidad, que no puede esperarse, y que Dios no permita, las dos Partes Contratantes se viesen empenadas en guerra una con otra, han convenido

have agreed, and do agree, now for then, that there shall be allowed the term of six months to the merchants residing on the Coasts and in the Ports of each other; and the term of one year to those who dwell in the Interior, to arrange their business and transport their effects wherever they please, giving to them the safe conduct necessary for it, which may serve as a sufficient protection until they arrive at the designated Port. The Citizens of all other occupations who may be established in the Territories or Dominions of The United States of the Republic of Colombia, shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which in consideration of humanity the Contracting Parties engage to give them.

XXIV. Neither the debts due from individuals of the one Nation to the individuals of the other, nor shares, nor moneys, which they may have in public funds, nor in public or private banks, shall ever, in any event of war, or of national difference, be sequestered or confiscated.

XXV. Both the Contracting Parties, being desirous of avoiding all inequality in relation to their public communications and official intercourse, have agreed, and do agree, to grant to the Envoys, Ministers, and other Public Agents, the same favours, immunities, and exemptions, which those of the most favoured Nation do or shall

y convienen de ahora para entonces, que se consederá el termino de seis meses á los comerciantes residentes en las costas y en los puertos de entrambas, y el termino de un año á los que habitan en el interior, para arreglar sus negocios, y transportar sus efectos á donde quieran, dandoles el salvo conducto necesario para ello, que les sirva de suficiente proteccion hasta que lleguen al puerto que designen. Los Ciudadanos de otras ocupaciones, que se hallen establecidos en los Territorios ó Dominios de la Republica de Colombia, ó los Estados- Unidos de America, serán respetados, y mantenidos en el pleno goze de su libertad personal y propiedad, á menos que su conducta particular les haga perdér esta proteccion, que en consideracion á la humanidad, las Partes Contratantes se comprometen á prestarles.

XXIV. Ni las deudas contraidas por los individuos de una Nacion, con los individuos de la otra, ni las acciones ó dineros, que puedan tener en los fondos publicos, ó en los bancos publicos, ó privados, serán jamas secuestrados ó confiscados en ningun caso de guerra, ó diferencia nacional.

XXV. Deseando ambas Partes Contratantes, evitar toda diferencia relativa á etiqueta en sus comunicaciones, y correspondencias diplomaticas han convenido asi mismo, y convienen en conceder á sus Enviados, Ministros, y otros Agentes Diplomaticos, los mismos favores, inmunidades, y esenciones de que gozan, ó gozaren en lo

enjoy; it being understood that whatever favours, immunities, or privileges, The United States of America or the Republic of Colombia may find it proper to give to the Ministers and Public Agents of any other Power, shall, by the same Act, be extended to those of each of the Contracting Parties.

XXVI. To make more effectual the protection which The United States and the Republic of Colombia shall afford in future to the Navigation and Commerce of the Citizens of each other, they agree to receive and admit Consuls and Vice-Consuls in all the Ports open to Foreign Commerce, who shall enjoy in them all the rights, prerogatives, and immunities of the Consuls and Vice-Consuls of the most favoured Nation; each Contracting Party, however, remaining at liberty to except those Ports and Places in which the admission and residence of such Consuls may not seem convenient.

XXVII. In order that the Consuls and Vice-Consuls of the two Contracting Parties may enjoy the rights, prerogatives, and immunities which belong to them, by their public character, they shall, before entering on the exercise of their functions, exhibit their Commission or Patent in due form to the Government to which they are accredited; and having obtained their *Exequatur*, they shall be held and considered as

venidero los de las Naciones mas favorecidas, bien entendido que cualquier favór, inmunidad ó privilegio, que la Republica de Colombia ó los Estados-Unidos de America, tengan por conveniente dispensár á los Enviados, Ministros, y Agentes Diplomaticos de otras Potencias, se haga por el mismo hecho estensivo á los de una y otra de las Partes Contratantes.

XXVI. Para hacér mas efectiva la proteccion, que la Republica de Colombia, y los Estados-Unidos de America, darán en adelante á la Navegacion y Comercio de los Ciudadanos de una y otra, se convienen en recibir y admitir Consules, y Vice-Consules en todos los Puertos abiertos al Comercio Estrangero, quienes gozarán en ellos todos los derechos prerrogativas é inmunidades de los Consules, y Vice-Consules de la Nacion mas favorecida, quedando no obstante en libertad cada Parte Contratante, para exceptuar aquellos Puertos y Lugares en que la admision y residencia de semejantes Consules, y Vice-Consules no parezca conveniente.

XXVII. Para que los Consules y Vice-Consules de las dos Partes Contratantes, puedan gozar los derechos, prerrogativas, é inmunidades, que les corresponden por su caracter publico, antes de entrár en el ejercicio de sus funciones, presentarán su comision ó patente en la forma debida, al Gobierno con quien esten acreditados, y habiendo obtenido el *Exequatur*, serán tenidos, y considerados como tales, por todas las autoridades, majistrados

such by all the authorities, magistrates, and inhabitants, in the Consular District in which they reside.

XXVIII. It is likewise agreed, that the Consuls, their Secretaries, Officers, and Persons attached to the service of Consuls, they not being Citizens of the Country in which the Consul resides, shall be exempt from all public service, and also from all kind of taxes, imposts and contributions, except those which they shall be obliged to pay on account of Commerce, or their Property, to which the Citizens and Inhabitants, native and foreign, of the Country in which they reside are subject, being in every thing besides subject to the Laws of the respective States. The archives and papers of the Consulates shall be respected inviolably, and under no pretext whatever shall any magistrate seize, or in any way interfere with them.

XXIX. The said Consuls shall have power to require the assistance of the Authorities of the Country, for the arrest, detention, and custody of Deserters from the public and private Vessels of their Country, and for that purpose they shall address themselves to the courts, judges, and officers competent, and shall demand the said Deserters in writing, proving by an exhibition of the registers of the Vessel's or Ship's roll, or other public documents, that those men were part of the said crews; and on this demand so proved, (saving, however, where the con-

y habitantes del Distrito Consular en que residan.

XXVIII. Se ha convenido igualmente, que los Consules, sus Secretarios, Oficiales y Personas agregadas al servicio de los Consulados (no siendo estas personas Ciudadanos del pais en que el Consul reside) estarán esentos de todo servicio publico, y tambien de toda especie de pechos, impuestos, y contribuciones, eceptuando aquellas que esten obligados á pagar por razón de Comercio, ó Propiedad, y á las cuales estan sujetos los Ciudadanos, y Habitantes naturales, y extranjeros del Pais en que residen, quedando en todo lo demas, sujetos á las leyes de los respectivos Estados. Los archivos y papeles de los Consulados serán respetados inviolablemente, y bajo ningun pretesto los ocupará magistrado alguno, ni tendrá en ellos ninguna intervencion.

XXIX. Los dichos Consules tendrán poder de requerir el auxilio de las Autoridades locales, para la prision, detencion y custodia de los Desertores de buques publicos y particulares de su Pais, y para este objeto se dirigirán á los tribunales, jueces, y oficiales competentes, y pedirán los dichos Desertores por escrito, probando por una presentacion de los registros de los buques, rol del equipage, ú otros documentos publicos, que aquellos hombres eran parte de las dichas tripulaciones, y á esta demanda asi probada (menos no obstante cuando seprobare lo con-



trary is proved), the delivery shall not be refused. Such Deserters, when arrested, shall be put at the disposal of the said Consuls, and may be put in the public prisons at the request and expense of those who reclaim them, to be sent to the Ships to which they belonged, or to others of the same Nation. But if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

XXX. For the purpose of more effectually protecting their Commerce and Navigation, the two Contracting Parties do hereby agree, as soon hereafter as circumstances will permit them, to form a Consular Convention, which shall declare specially the powers and immunities of the Consuls and Vice-Consuls of the respective Parties.

XXXI. The United States of America and the Republic of Colombia, desiring to make as durable as circumstances will permit, the relations which are to be established between the two Parties by virtue of this Treaty, or General Convention of Peace, Amity, Commerce, and Navigation, have declared solemnly, and do agree to the following Points:

1st. The present Treaty shall remain in full force and virtue for the term of twelve years, to be counted from the day of the exchange of the Ratifications, in all the parts relating to Commerce and Navigation; and in all those parts which relate to Peace and

trario) no se reusará la entrega. Semijantes Desertores, luego que sean arrestados, se pondrán á disposicion de los dichos Consules, y pueden ser depositados en las prisiones publicas, á solicitud y expensas de los que los reclamen, para ser enviados á los buques á que corresponden, ó á otros de la misma Nacion. Pero si nó fueren mandados dentro de dos meses contados desde el dia de su arresto, serán puestos en libertad, y no volverán á ser presos por la misma causa.

XXX. Para protegér mas efectivamente su Comercio y Navegacion, las dos Partes Contratantes se convienen en formar luego que las circunstancias lo permitan, una Convencion Consular, que declare mas especialmente los poderes é inmunidades de los Consules y Vice-Consules de las Partes respectivas.

XXXI. La Republica de Colombia y los Estados-Unidos de America, deseando hacer tan duraderas y firmes, como las circunstancias lo permitan las relaciones que han de establecerse entre las dos Potencias, en virtud del presente Tratado ó Convencion General de Paz, Amistad, Navegacion y Comercio, han declarado solennemente y convienen en los Puntos siguientes:

1º. El presente Tratado permanecerá en su fuerza y vigor por el termino de doce años, contados desde el dia del cange de las Ratificaciones, en todos los puntos concernientes á Comercio y Navegacion, y en todos los demas puntos que se refieren á paz y ami-

Friendship, it shall be permanently and perpetually binding on both Powers.

2dly. If any one or more of the Citizens of either Party shall infringe any of the Articles of this Treaty, such Citizen shall be held personally responsible for the same, and the harmony and good correspondence between the two Nations shall not be interrupted thereby; each Party engaging in no way to protect the Offender, or sanction such violation.

3dly. If, (what, indeed, cannot be expected), unfortunately, any of the Articles contained in the present Treaty shall be violated or infringed in any other way whatever, it is expressly stipulated, that neither of the Contracting Parties will order or authorise any acts of reprisal, nor declare War against the other, on complaints of injuries or damages, until the said Party considering itself offended, shall first have presented to the other a statement of such injuries or damages, verified by competent proof, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed.

4thly. Nothing in this Treaty contained shall, however, be construed, or operate contrary to former and existing public Treaties with other Sovereigns or States.

The present Treaty of Peace, Amity, Commerce, and Navigation, shall be approved and ratified by the President of The United States of America, by and

stad, será permanente, y perpetuamente obligatorio para ambas Potencias.

2º. Si alguno, ó algunos de los Ciudadanos de una ò otra Parte infringiesen alguno de los Artículos contenidos en el presente Tratado, dichos Ciudadanos serán personalmente responsables, sin que por esto se interrumpa la harmonia y buena correspondencia entre las dos Naciones, comprometiéndose cada una á no proteger de modo alguno al ofensor, ó sancionár semejante violacion.

3º. Si (lo que á la verdad no puede esperarse) desgraciadamente, alguno de los Artículos contenidos en el presente Tratado, fuesen en alguna otra manera violados, ó infringidos, se estipula espresamente que ninguna de las dos Partes Contratantes, ordenará, ó autorizará ningunos actos de represalia, ni declarará la Guerra contra la otra por quejas de injurias, ó daños, hasta que la Parte que se crea ofendida, haya antes presentado á la otra una esposicion de aquellas injurias, ó daños, verificada con pruebas y testimonios competentes, exigiendo justicia y satisfaccion, y esto haya sido negado, ó diferido sin razon.

4º. Nada de cuanto se contiene en el presente Tratado, se construirá sin embargo, ni obrará, en contra de otros Tratados publicos anteriores, y existentes con otros Soberanos ó Estados.

El presente Tratado de Paz, Amistad, Navegacion, y Comercio, será ratificado por el Presidente ó Vice-Presidente de la Republica de Colombia, encargado del Poder

with the advice and consent of the Senate thereof, and by the President of the Republic of Colombia, with the consent and approbation of the Congress of the same, and the Ratifications shall be exchanged in the City of Washington within eight months, to be counted from the date of the signature hereof, or sooner if possible.

In faith whereof, We, the Plenipotentiaries of The United States of America and of the Republic of Colombia, have signed and sealed these presents.

Done in the City of Bogota, on the 3d day of October, in the year of our Lord 1824, in the 49th year of the Independence of The United States of America, and the 14th of that of the Republic of Colombia.

**RICHARD C. ANDERSON, Jr.**  
**PEDRO GUAL.**

Ejecutivo, con consentimiento y aprobacion del Congreso de la misma, y por el Presidente de los Estados-Unidos de America, con consejo, y consentimiento del Senado de los mismos; y las Ratificaciones serán cangeadas en la Ciudad de Washington dentro de ocho meses, contados desde este dia, ó antes si fuese posible.

En fe de lo cual nosotros los Plenipotenciarios de la Republica de Colombia, y de los Estados-Unidos de America, hemos firmado y sellado las presentes.

Dadas en la Ciudad de Bogota el dia 3º de Octubre del año del Señor 1824, 14 de la Independencia de la Republica de Colombia y 49º de la de los Estados-Unidos de America.

**PEDRO GUAL.**  
**RICHARD C. ANDERSON, Jr.**

And whereas the said Convention has been duly ratified on both parts, and the respective Ratifications of the same were exchanged, at Washington, on the 27th day of the present month, by Daniel Brent, Chief Clerk of the Department of State, and Jose Maria Salazar, L. L. D. Fiscal of the High Court of Justice of the Republic of Colombia, and Envoy Extraordinary and Minister Plenipotentiary thereof near the Government of The United States of America, on the part of their respective Governments.

Now, therefore, be it known that I, John Quincy Adams, President of The United States, have caused the said Convention to be made public, to the end that the same, and every Clause and Article thereof, may be observed and fulfilled with good faith by The United States and the Citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the Seal of The United States to be affixed. Done at the City of Washington, this 31st day of May, in the year of our Lord 1825, and of the Independence of The United States the 49th.

By the President: **JOHN QUINCY ADAMS.**  
**H. CLAY, Secretary of State.**

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*TREATY of Perpetual Union, League and Confederation,  
between Colombia and The United Provinces of Central  
America.—Signed at Bogota the 15th of March 1825.*

(Translation.)

EN EL NOMBRE DE DIOS, AUTOR  
Y LEJISLADOR DEL UNIVERSO.

IN THE NAME OF GOD, AUTHOR  
AND LEGISLATOR OF THE UNI-  
VERSE.

La República de Colombia i las Provincias Unidas del Centro de América, hallandose animadas de los mas sincéros deseos de poner un pronto termino á las calamidades de la presente guerra, en que aun se ven empeñadas con el Gobierno de S. M. Católica, el Rei de España, i estando dispuestas ambas Potencias Contratantes á combinar todos sus recursos i todas sus fuerzas terrestres i marítimas, é identificar sus principios é intereses en paz i en guerra, han resuelto formar una Convencion de Union, Liga i Confederacion perpetuar que les asegura para siempre las ventajas de su libertad é independencia.

Con tan saludable objeto, el Vice-Presidente encargado del Poder Ejecutivo de la República de Colombia ha conferido Plenos Poderes á Pedro Gual, Secretario de Estado i del Despacho de Relaciones Exteriores de la misma; i el Supremo Poder Ejecutivo de las Provincias Unidas del centro de América, al Dr. Pedro Molina, su Enviado Estraordinario i Ministro Plenipotenciario cerca del Gobierno de la referida República: los quales, despues de haber canjeado en buena i debida forma sus espresados Plenos Poderes, han convenido en los Artículos siguientes:

The Republic of Colombia and The United Provinces of the Centre of America, being animated by the most sincere desire of putting a speedy termination to the calamities of the present war, in which they are engaged with the Government of H. C. M. the King of Spain, and both Contracting Powers being disposed to unite all their resources, and all their Forces both by Sea and Land, and to identify their principles and interests both in Peace and War, have resolved to enter into a Convention of perpetual Union, League, and Confederation, which may assure to them for ever the advantages of their liberty and independence.

With this laudable object, the Vice-President, charged with the Executive Power of the Republic of Colombia, has conferred Full Powers on Pedro Gual, Secretary of State for the Foreign Affairs of the same; and the Supreme Executive Power of The United States of the centre of America, to Dr. Pedro Molina, their Envoy Extraordinary and Minister Plenipotentiary to the Government of the said Republic, who, having exchanged their respective Full Powers, have agreed to the following Articles:—



I. La República de Colombia i las Provincias Unidas del Centro de América, se unen, ligan i confederan perpetuamente en paz i guerra, para sostener con su influjo i fuerzas disponibles marítimas i terrestres, su Independencia de la Nacion Española i de cualquiera otra Dominacion Estrangera; i asegurar de esta manera su mutua prosperidad, la mejor armonía i buena intelijencia, asi entre los Pueblos i Ciudadanos, como con las demás Potencias con quienes deben entrar en relaciones.

II. La República de Colombia i las Provincias Unidas del Centro de América, se prometen por tanto i contraén espontaneamente una amistad firme i constante, i una alianza permanente íntima i estrecha, para la seguridad de su Independencia i libertad, i para su bien recíproco i jeneral, obligandose á socorrerse mutuamente i á rechazar en comun todo ataque ó invasion de los enemigos de ambas, que pueda de alguna manera amenazar su existencia política.

III. A fin de concurrir à los objetos indicados en los Artículos anteriores, la República de Colombia se compromete á auxiliar á las Provincias-Unidas del Centro de América con sus fuerzas marítimas i terrestres disponibles, cuio numero ó su equivalente, se fijará en la Asamblea de Plenipotenciarios de que se hablará despues.

IV. Las Provincias-Unidas del Centro de América, auxiliarán del mismo modo á la República de Colombia con sus fuerzas maríti-

I. The Republic of Colombia and The United Provinces of the Centre of America, unite, league, and confederate for ever, in peace and war, to sustain with their influence and disposable land and sea Forces, their independence of the Spanish Nation, and of any other foreign dominion; and to assure in this manner their mutual prosperity, and the best harmony and intelligence, as well between the People and Citizens of both Countries, as with the other Powers with whom they may enter into relations.

II. The Republic of Colombia and the United Provinces of the Centre of America, spontaneously promise and contract a firm and constant friendship and a perpetual, close, and intimate Alliance, for the security of their liberty and independence, and for their reciprocal and general good, obliging themselves mutually to succour and to repel in common any attack or invasion of the enemies of both which may in any manner threaten their political existence.

III. For the purpose of assisting in the object pointed out in the preceding Articles, the Republic of Colombia promises to assist the United Provinces of the Centre of America with its disposable Sea and Land Forces, to the extent that may be settled at the Assembly of Plenipotentiaries, which is hereafter to take place.

IV. The United Provinces of Central America will assist in the same manner the Republic of Colombia with its disposable Sea and

mas i terrestres disponibles, cuyo número ó su equivalente se fijará tambien en la espresada Asamblea.

V. Ambas Partes Contratantes se garantizan mutuamente la integridad de sus territorios respectivos contra los tentativas é invasiones de los vasallos del Rei de España i sus adherentes, en el mismo pie en que se hallaban antes de la presente guerra de independencia.

VI. Por tanto, en caso de invasion repentina, ambas Partes podrán obrar hostilmente en los territorios de la dependencia de una ù otra, siempre que las circunstancias del momento no den lugar á ponerse de acuerdo con el Gobierno á quien corresponda la soberanía del territorio invadido. Pero la Parte que asi obrase, deberá cumplir i hacer cumplir los estatutos, ordenanzas i leies del Estado respectivo, en cuanto lo permitan las circunstancias, i hacer respetar i obedecer su Gobierno. Los gastos que se hubiesen impendido en estas operaciones, i demás que se impendan en consecuencia de los Artículos 3. i 4. se liquidarán por Convenios separados, i se abonarán un año despues de la conclusion de la presente guerra.

VII. La República de Colombia i las Provincias Unidas del Centro de América, se obligan i comprometan à respetar sus límites, como estan al presente, reservandose el hacer amistosamente, por medio de una Convencion especial, la demarcacion de la línea divisoria de uno i otro Estado, tan pronto, como lo permitan las circunstancias, ó luego que una de las

Land Forces, the number of which, or its equivalent, shall likewise be settled by the said Assembly.

V. Both Contracting Parties mutually guarantee the integrity of their respective territories, against the attempts and invasions of the Subjects, or adherents of The King of Spain, on the same footing as they existed previous to the present war of independence.

VI. In case, however, of sudden invasion, both Parties may commence hostile operations in the territory either of the one or the other, whenever circumstances do not allow sufficient time to communicate with the Government to which the invaded territory belongs. But the Party which may thus act, shall observe and cause to be observed, the Statutes, Ordinances, and Laws of the respective State, as far as circumstances permit, and cause its Government to be respected and obeyed. The expences which may be incurred in these operations, and the others arising out of Articles 3 and 4, shall be arranged by a separate Convention, and shall be discharged within a year from the conclusion of the present war.

VII. The Republic of Colombia and The United Provinces of Central America, oblige and bind themselves to respect their Boundaries as they exist at present, reserving to themselves to settle in a friendly manner, and by means of a special Convention, the demarcation or divisional line between the two States, so soon as circumstances will permit, or

partes manifieste á la otra estar dispuesta á entrar en esta Negociacion.

VIII. Para facilitar le prògreso i terminacion feliz de la Negociacion de límites de que se ha hablado en el Artículo anterior, cada una de las Partes Contratantes estará en libertad de nombrar Comisionados, que recorran todos los puertos i lugares de las fronteras, i levanten en ellas cartas segun lo crean conveniente i necesario para establecer la línea divisoria, sin que las Autoridades Locales puedan causarles la menor molestia, sino antes bien prestarles toda proteccion i auxilio para el buen desempeño de su encargo, con tal que previamente les manifiesten el pasaporte del Gobierno respectivo autorizándoles al efecto.

IX. Ambas Partes Contratantes, deseando entretanto proveer de remedio á los males que podrian ocasionar á una i otra las Colonizaciones de Aventureros desautorizados en aquella parte de las Costas de Mosquitos, comprendida desde el Cabo Gracias à Dios inclusive hasta el Rio Chagres, se comprometen i obligan á emplear sus fuerzas marítimas i terrestres contra cualquiera individuo ó individuos que intenten formar Establecimientos en las espresadas Costas, sin haber obtenido antes el permiso del Gobierno à quien corresponden en dominio i propiedad.

X. Para hacer cada vez mas íntima i estrecha la union i ali-

so soon as one Party shall manifest to the other its disposition to enter into such negotiation.

VIII. To bring the negociation, respecting boundaries, referred to in the preceding Article, to a speedy and happy termination, each of the Contracting Parties shall be at liberty to name Commissioners, who may visit all the ports and places of the frontiers, and draw such plans of them as may appear convenient and necessary for establishing the line of demarkation, without any interruption on the part of the Local Authorities, but on the contrary with all the protection and assistance that such Authorities can possibly afford to them, towards the due execution of the business in which they are engaged, after the production of the Passport of the respective Government authorizing them to act.

IX. The two Contracting Parties, desirous, in the mean time, of providing a remedy against the evils which may be caused to either, by the Colonizations of unauthorized Adventurers, on any part of the Mosquito Shore, from Cape Gracias à Dios to the River Chagres, inclusive, agree to employ their Forces by sea and land against any individual or individuals who may attempt to form Establishments on the said Shore, without having first obtained the permission of the Government, to which it belongs in dominion and property.

X. In order to draw closer the union and alliance agreed to

anza contrahida por la presente Convencion, se estipula i conviene, ademàs, que los Ciudadanos i habitantes de cada una de las Partes tendrán indistintamente libre entrada i salida en sus puertos i territorios respectivos, i gozarán en ellos de todos los derechos civiles i privilegios de trafico i comercio, sujetandose unicamente á los derechos, impuestos, i restricciones á que lo estuvieren los Ciudadanos i Habitantes de cada una de las Partes Contratantes.

XI. En esta virtud, sus Buques i Cargamentos compuestos de producciones ó mercaderias Nacionales ó Etranjeras registradas en las Aduanas de cada una de las Partes Contratantes, no pagarán mas derechos de importacion, esportacion, anclaje i tonelada, que los establecidos, ó que se establecieren para los Nacionales en los puertos de cada Estado, segun las leyes vijentes; es decir, que los buques i efectos procedentes de Colombia, abonarán los derechos de importacion, esportacion, anclaje i tonelada en los puertos de las Provincias-Unidas del Centro de América como si fuesen de dichas Provincias-Unidas, i las de las Provincias Unidas como Colombianos en los de Colombia.

XII. Ambas Partes Contratantes se obligan à prestar cuantos auxilios esten à su alcance à sus bajeles de guerra i mercantes que lleguen à los puertos de su pertenencia por causa de avería ó cual-

by the present Convention, it is stipulated and agreed that the Citizens and Inhabitants of each Party, without distinction, shall have free entry and egress into and from their respective Ports and Territories, and shall enjoy in them all the civil rights and privileges of traffic and Commerce, subject only to the duties, imposts, and restrictions to which the Citizens and Inhabitants of each of the Contracting Parties are liable.

XI. In virtue whereof, the Vessels and Cargoes, consisting of national or foreign produce, or of merchandize, registered in the Custom Houses of either of the Contracting Parties, shall not pay higher duties of import or export, anchorage and tonnage, than those already established, or to be established, for the natives, in the Ports of each State, by laws thereunto provided: that is to say, the Vessels and Goods proceeding from Colombia shall pay the same duties of importation, exportation, anchorage and tonnage, in the Ports of The United Provinces of Central America, as if they belonged to the said United Provinces; and those of The United Provinces shall pay the same in Colombian Ports as though they belonged to Colombia.

XII. Each of the Contracting Parties engages to afford all the assistance in its power to the Vessels of war, and Merchant-Vessels of the other, which may arrive at their respective Ports, on account



quier otro motivo; i como tal podrán carenarse, repararse, hacer viveres, armarse, aumentar su armamento i sus tripulaciones, hasta el estado de poder continuar sus viajes ó cruceros a espensas del Estado ó particulares à quienes correspondan.

XIII. A fin de evitar los abusos escandalosos que pueden causar en alta-mar los Corzarios armados por cuenta de los particulares con perjuicio del Comercio Nacional i los Neutrales, convienen ambas Partes en hacer estensiva la jurisdiccion de sus cortes marítimas à los Corsarios que navegan bajo el Pabellon de una i otra, i sus presas indistintamente, siempre que no puedan navegar facilmente, hasta los puertos de su procedencia ó que haia indicios de haber cometido excesos contra el Comercio de las Naciones neutrales, con quienes ambos Estados desean cultivar la mejor armonia i buena inteligencia.

XIV. Con el objeto de evitar todo desorden en el ejército i marina de uno i otro Pais, han convenido además que los transfugos de un territorio al otro siendo soldados ó marineros desertores, aunque estos últimos sean de buques mercantes, serán devueltos inmediatamente por cualquier tribunal ó autoridad bajo cuya jurisdiccion esté el desertor ó desertores, bien entendido que á la entrega debe preceder la reclamacion de su Gefe ó del Capitan del buque respectivo dando las señales del in-

of damage or any other cause; and in such cases the Vessels shall be allowed to careen and repair, and to victual and arm themselves, and increase their armament and crews, to enable them to continue their voyages or cruises, at the expence of the State or individuals to whom they may belong.

XIII. In order to prevent the scandalous abuses which may arise on the high Seas from Privateering Vessels, to the prejudice as well of the National Commerce as of that of Neutrals, both Parties agree to extend the jurisdiction of their maritime Courts, to the Cruizers which navigate under the Flag of either, and to their Prizes indiscriminately; provided they cannot conveniently reach the Port to which they maybe bound, or when outrages may have been committed against the Commerce of Neutral Nations, with whom both States are desirous of cultivating harmony and good understanding.

XIV. With a view of avoiding confusion in the army and marine of either Country, they have further agreed that the fugitives from one territory to the other, being deserters from the army or navy, or even from the merchant-Vessels, shall be immediately delivered up, to the tribunal or authority, to whose jurisdiction the deserter or deserters may belong; it being understood that, previous to the delivery, the Chief or the Commander of the respective Vessel shall furnish

dividuo ó individuos i el nombre, cuerpo ó buque de que haia desertado, pudiendo entretanto ser depositado en las prisiones públicas, hasta que se verifique la entrega en forma.

XV. Para estrechar mas los vínculos que deben unir en lo venidero ambos Estados, allanar cualquiera dificultad que pueda presentarse ó interrumpir de algun modo su buena correspondencia i armonia, se formará una Asamblea compuesta de dos Plenipotenciarios por cada Parte en los mismos términos i con las mismas formalidades que en conformidad de los usos establecidos deben observarse para el nombramiento de los Ministros de igual clase en otras Naciones.

XVI. Ambas Partes se obligan á interponer sus buenos oficios con los Gobiernos de los demás Estados de la América antes Española para entrar en este Pacto de Union, Liga i Confederacion perpetua.

XVII. Luego que se haia conseguido este grande é importante objeto se reunirá una Asamblea Jeneral de los Estados Americanos compuesta de sus Plenipotenciarios con el encargo de cimentar de un modo mas sólido i estable las relaciones intimas que deben existir entre los dos i cada uno de ellos, i que les sirva de consejo en los grandes conflictos, de punto de contacto en los peligros comunes, de fiel intérprete de sus Tratados Públicos cuando ocurran dificultades, i de juez árbitro i

evidence of the identity of the individual or individuals, of their name, and the corps or vessel from which they may have deserted; it being lawful for the said deserters to be imprisoned in the public gaols, until the delivery of them be made in due form.

XV. In order to rivet more closely the ties which ought for the future to unite both States, and to remove any difficulty which might arise to interrupt in any degree the good understanding and harmony existing between them, an Assembly shall be formed, composed of two Plenipotentiaries for each Party, on the same terms and with the same formalities that, according to established usage, are observed in the nomination of Ministers of equal rank in other Nations.

XVI. Both Parties agree to interpose their good offices to induce the Governments of the other States of America, formerly Spanish, to enter into this Compact of perpetual Union, League, and Confederation.

XVII. As soon as this important object shall have been attained, a General Assembly shall meet, composed of the Plenipotentiaries of the American States, whose functions it shall be to cement in the most solid and stable manner the intimate relations which ought to subsist between each and all of them—to assist by their counsel in all great emergencies—to form a point of support in all common dangers—to be faithful interpreters of their public Treaties, whenever difficulties arise respecting

conciliador en sus disputas i diferencias.

XVIII. Este Pacto de Union, Liga i Confederacion no interrumpirà de manera alguna el ejercicio de la Soberania Nacional de cada una de las Partes Contratantes, asi por lo que mira á sus leies i al establecimientó i forma de sus respectivos Gobiernos, como por lo que hace á sus relaciones con las demás Naciones Estrasñeras. Pero se obligan espresa è irrevocablemente à no acceder à las demandas de indemnizaciones, tributos ó exacciones, que el Gobierno Española pueda entablar por la pèrdida de su antigua supremacia sobre estos Países ó cualquiera otra Nacion en nombre i representacion suia, ni entrar en Tratado con España, ni otra Nacion en perjuicio i menoscabo de esta Independencia, sosteniendo en todos ocasiones i lugares sus intereses reciprocos, con la dignidad i enerjia de Naciones libres, independientes, amigas, hermanas i confederadas.

XIX. Siendo el Istmo de Panamá una parte integrante de Colombia i el mas adecuado para aquella Augusta Reunion, esta Republica se compromete gustosamente à prestar á los Plenipotenciarios que compongan la Asamblea de los Estados Americanos todos los auxilios que demanda la hospitalidad entre Pueblos hermanos i el caracter sagrado è inviolable de sus personas.

XX. Las Provincias Unidas del Centro de América contrahen desde ahora igual obligacion, siem-

them—and to become arbiters and conciliators in all their disputes and differences.

XVIII. This Compact of Union, League, and Confederation, shall not in any manner interfere with the exercise of the national Sovereignty of either of the Contracting Parties, whether as regards its internal Government, or its relations with Foreign Powers. Nevertheless, they expressly and irrevocably bind themselves not to accede to any demands of indemnity, tributes, or exactions, which may be set up by Spain, or by any other Nation in its name and behalf, for the loss of its former Supremacy over these Countries; neither to enter into any Treaty with Spain, or any other Nation, to the prejudice or depreciation, of their independence, sustaining on all occasions, and in all places, their mutual interests, with the dignity and energy of free, independent, friendly, fraternal, and confederated Nations.

XIX. The Isthmus of Panamá being an integral part of Colombia, and the most convenient spot for the meeting of this August Assembly, that Republic cordially promises to afford to the Plenipotentiaries of whom it may be composed, all the good offices demanded by hospitality between fraternal Nations, and by the sacred and inviolable character of their persons.

XX. The United Provinces of the Centre of America contract an equal obligation, should

pre que por los acontecimientos de la maioria de los Estados Americanos se reuna la espresada Asamblea en el Territorio de su Dependencia, en los mismos terminos en que se ha comprometido la República de Colombia en el Artículo anterior, así con respecto al Istmo de Panamá, como à cualquiera otro punto de su jurisdiccion que se crea à proposito para este interesantísimo objeto, por su posicion central entre los Estados del norte i del medio-dia de esta América antes Española.

XXI. La República de Colombia i las Provincias-Unidas del Centro de América deseando evitar toda interpretacion contraria á sus intenciones, declaran que cualquier ventaja ó ventajas que una i otra Potencia reporten de las Estipulaciones anteriores, son i deben entenderse en virtud i como compensacion de las obligaciones que acaban de contraher en la presente Convencion de Union, Liga i Confederacion perpetua.

XXII. La presente Convencion de Union, Liga i Confederacion perpetua, será ratificada por el Vice-Presidente encargado del Poder Ejecutivo de la República de Colombia con consentimiento i aprobacion del Congreso de la misma, en el término de treinta dias; i por el Gobierno de las Provincias-Unidas del Centro de América, tan pronto como sea posible atendidas las distancias; i las Ratificaciones serán canjeadas en el Ciudad de Guatemala dentro de seis meses contados desde la fecha, ó antes, si fuese posible.

it happen that by agreement of the majority of the American States, the said Assembly should meet within its territory, to give the same facilities to such Meeting, as has been promised by the Republic of Colombia, in the preceding Article, as well with respect to the Isthmus of Panama, as to any other point of its own jurisdiction which may be thought fit for this most interesting object, on account of its central position between the Northern and Southern (formerly Spanish) American States.

XXI. The Republic of Colombia and The United Provinces of Central America, desirous of avoiding any interpretation contrary to their intentions, declare that whatever advantage or advantages either Party may derive from the preceding Stipulations are, and ought to be understood, as existing by virtue and in fulfilment of the obligations contracted in the present Convention of perpetual Union, League, and Confederation.

XXII. The present Convention of perpetual Union, League, and Confederation, shall be ratified by the Vice-President charged with the Executive Power of the Republic of Colombia, with the consent and approbation of the Congress of the said Republic, within the period of 30 days, and by the Government of The United Provinces of Central America, so soon as the distance will permit; and the Ratifications shall be exchanged in the City of Guatemala within six months, counted from this date, or sooner if possible.



En fé de lo cual, nosotros los Plenipotenciarios de la República de Colombia i las Provincias Unidas del Centro de América hemos firmado i sellado las Presentes en la Ciudad de Bogotá, el dia quince del mes de Marzo del año del Señor 1825;—15 de la Independencia de la República de Colombia, —i 5 de las Provincias-Unidas del Centro de América.

PEDRO GUAL.  
PEDRO MOLINA.

In faith whereof, we, the Plenipotentiaries of the Republic of Colombia, and of The United Provinces of Central America, have Signed and Sealed these Presents, in the City of Bogotá, the 15th day of March, in the year of our Lord 1825; the 15th of the Independence of the Republic of Colombia, and the 5th of that of The United Provinces of Central America.

PEDRO GUAL.  
PEDRO MOLINA.

*TREATY of Friendship and Alliance between the Republick of Chile, and the United Provinces of the Rio de la Plata.—Signed at Buenos Ayres,—January, 1819.*

*(Translation.)*

THE Most Excellent the Supreme Director of The United Provinces of Rio de la Plata, and the Most Excellent the Supreme Director of the State of Chile, by virtue of the Powers conferred upon them by the Provisional Constitutions of their respective States, being anxious to strengthen the friendship and good understanding now subsisting between the two Countries, as also to remove every source of future discord, have resolved to conclude a Definitive Treaty of Friendship and Alliance: for which purpose the Contracting Parties have named Plenipotentiaries: that is to say, the Most Excellent the Supreme Director of The United Provinces of Rio de la Plata, has named Doctor Gregorio Tagle, Minister of State for the Home Department and for Foreign Affairs, and the Most Excellent the Supreme Director of the State of Chile, Colonel Antonio José de Yrisarri, Sub-Officer of the Chilian Legion of Merit, and Minister of State: who, having exchanged their Full Powers, and found them to be in good and proper form, have agreed upon the following Articles:—

I. There shall be friendship and good understanding between the Governments of Chile and The United Provinces of Rio de la Plata. The Supreme Magistrates of both States shall use their utmost endeavours, each on his own side, to maintain the most perfect harmony, and remove every kind of discord tending to the dissolution of this Treaty.

II. A Minister from the Supreme Government of The United

Provinces shall reside at the Seat of the Government of Chile, as also one from the Supreme Government of Chile at the Seat of the Government of The United Provinces. These Ministers shall be the organs of communication for their respective Governments, in all matters not entrusted to Envoys or Plenipotentiaries: and as the Legislatures of the two Contracting States have not hitherto decided what etiquette is to be observed towards these Ministers, none shall be observed until an opportunity occur for such arrangement.

III. The Supreme Government of The United Provinces, and of Chile, shall consider the Spanish Government as a common enemy, until it shall have made peace with the two Contracting States, after a solemn recognition of their absolute Independence.

IV. The two Contracting Parties engage to assist each other in the war now carrying on with Spain, in the manner and form most suitable to the circumstances of each, when the hour of necessity may arrive. The number of Auxiliary Troops, and the amount of Subsidy which each State may require from the other cannot be fixed, because it is impossible to foresee the situation in which one State may be placed, when solicited by the other. Therefore, should the case require it, the number of Troops, the time in which they are to be furnished, and all other particular conditions relative to the payment of the auxiliaries, shall become a subject of agreement between the State demanding, and that granting such assistance.

V. The two Contracting Parties, acceding to the wishes of the inhabitants of Peru, and in particular of those of the Capital, Lima, that they might be assisted with an Armed Force for the purpose of expelling the Spanish Authorities, and establishing a form of Government more analogous to their physical and moral Constitution, engage to bear all the charges of an Expedition, already prepared in Chile, for this purpose.

VI. The Combined Army of The United Provinces, and of Chile, proceeding to the assistance of the Limenians against their present Rulers, shall return from Peru so soon as a Government be established by the free-will of its inhabitants; unless at the request of that Government, and for the interests of both Contracting Parties, it be agreed on by the Three States, of Chile, The United Provinces, and Lima, that the said Army should remain longer in such Territory. To provide for this contingency, the Generals, or Ministers, of The United Provinces and of Chile, shall be furnished with powers to treat upon this point with the Government which may be established in Lima: the execution of the said Treaties being nevertheless subject to the approval of the respective Supreme Authorities of Chile and of The United Provinces.

VII. In order to avoid all causes of discord between the two Contracting States, and the new one to be formed in Peru, concerning

the payment of the charges of the Liberating Expedition, and to deprive the enemies of America of all pretext and power of ascribing to this Expedition interested motives, which are so foreign to it, it is agreed upon by the two Contracting Parties, that no claim for these charges shall be made, until they can be adjusted by the Independent Government of Lima, and that, in the mean time, the combined Army shall conduct itself agreeably to the object of its mission, which is, that of protecting, and not that of committing hostilities against, the Inhabitants. Upon this head, the most positive orders shall be given by both Governments to their respective Generals.

VIII. An account of the charges incurred by the Liberating Expedition, and by the Chile Squadron, which shall convey it, after having cleared the Pacific for that purpose, shall be presented by the Ministers or Agents of the Government of Chile and The United Provinces to the Independent Government of Lima; and the sums, places, and periods of payment, shall be regulated with that Government in an amicable and friendly manner.

IX. The two Contracting Parties mutually guaranty the Independence of the State to be formed in Peru, after the liberation of its Capital; they also guaranty the unity of each Independent State; and, above all, they guaranty that respect which each of the Contracting Parties ought to observe towards the indisputable right which every Nation possesses of adopting that form of Government best suited to its circumstances.

X. The present Treaty shall be ratified by The Most Excellent the Supreme Director of The United Provinces of Rio de la Plata, and by The Most Excellent the Supreme Director of the State of Chile, within the term of sixty days, or sooner if possible.

Done and signed in the City of Buenos Ayres, the        of January, in the year 1819.

GREGORIO TAGLE.

ANTONIO JOSE DE YRISARRI.

*TREATY of Friendship, League and Confederation, between Chile and Peru.—Signed at Santiago de Chile, the 23d of December, 1822. (Translation.)*

In the name of God, the Author and Legislator of the Universe.

THE Government of the State of Chile on the one part, and that of Peru on the other, animated with the sincerest desire to put a speedy end to the calamitous war, provoked by the Government of His Catholic Majesty the King of Spain, co-operating for so important an object with their whole influence, resources and strength, by Sea and Land, until the precious enjoyment of internal tranquillity, of liberty and

National Independence shall be firmly secured to their Cities, Subjects and Citizens respectively;—And His Excellency the Supreme Director of the Republic of Chile having, for this purpose, conferred Full Powers upon His Ministers of State:—that is to say, the Most Excellent Señor Don Joaquin de Echeverria, Secretary of State for the Home Department and for Foreign Affairs, and the Most Excellent Señor Don José Antonio Rodríguez, Secretary of State for Finance and War;—And the Supreme Government of Peru, upon the Most Illustrious Señor Don José Caveros y Zalazar, Minister Plenipotentiary and Envoy Extraordinary to the Republic of Chile;—The following Articles have, after an exchange of Powers in good and sufficient form, been agreed upon.

I. The States of Chile and Peru unite, bind and confederate, in peace, and in war, to maintain with their naval and military forces and with their utmost influence, their Independence of the Spanish Nation, and of every other foreign Domination whatever, and, after a recognition of such Independence, to secure the mutual prosperity, the best harmony and good understanding, as well between their own Cities, Subjects and Citizens, as with the other Powers with whom they may enter into relations.

II. To this end, the States of Chile and Peru promise and freely contract an engagement of intimate alliance, and firm and constant friendship, for the common defence, for the security of their Independence and liberty, for their reciprocal and common benefit, and for their internal tranquillity; obliging themselves mutually to assist each other, and to repel every attack, or invasion, which may in any manner threaten their political existence.

III. In order to contribute to the objects pointed out in the preceding Articles, both States, that of Chile and that of Peru, bind themselves mutually to assist each other with their disposable land and sea forces, whose number, or equivalent, shall be fixed in the Assembly of Plenipotentiaries, of which mention is made hereafter.

IV. In case of sudden invasion, and that the circumstances of the moment do not allow of an understanding with the Government of the invaded territory, either Party may operate hostilely in the territories of the other. The Party, however, thus acting, must, so far as circumstances will admit, comply with, and cause to be complied with, the Statutes, Ordinances and Laws of such State, and must cause its Government to be respected and obeyed. The charges which may be incurred pending these operations, and those which may be incurred in consequence of Article 3rd, shall be liquidated by separate agreements, and paid one year after the conclusion of the present war.

V. In order to secure and perpetuate, in the best possible manner, a friendship and good understanding between the two States, the Natives of Chile and Peru shall enjoy the rights and privileges grant-



ed to those born in either territory ; that is to say, Chilenos shall be considered in Peru as Peruvians, and Peruvians in Chile as Chilenos, without prejudice to such amplifications or restrictions as the Legislative authority of either State may have made, or may think proper to make, relative to the qualifications expected from Candidates for the Chief Offices of State. But in order to enter upon the enjoyment of the other active and passive rights of Citizens, it will be sufficient that the party have established a domicile in the State to which they may wish to belong.

VI. The Subjects and Citizens of either State may freely enter into, and depart from the ports and territories of the other, and shall enjoy therein every civil right and privilege of Trade and Commerce, subject to the same duties, imposts and restrictions as the Subjects and Citizens of each of the Contracting Parties, but to no more.

VII. In virtue whereof, the Vessels and natural productions of the State of each of the Contracting Parties, shall pay no greater duties of importation, exportation, anchorage and tonnage, than those established, or which by Law may hereafter be established, to be paid by Native Vessels and products in the Ports of each other, respectively :—that is to say, that the Vessels and Products of Chile shall pay the duties of import and export in the Ports of the State of Peru, as Peruvians, and those of Peru, in the Ports of Chile, as Chilenos.

VIII. The two Contracting Parties engage to afford every possible assistance to their respective Men of War and Merchant-Ships arriving in their Ports, whether in distress or otherwise, and the said Vessels shall be at liberty to caulk, repair, provision, arm and encrease their armament, and crew, for the purpose of continuing their voyage or cruize, at the expense of the State, or the Individuals to whom they may belong.

IX. In order to avoid the scandalous abuses which armed Privateers may give rise to on the high Seas, to the prejudice of Native and Neutral Commerce, both parties agree to extend the jurisdiction of their maritime Courts to Cruizers sailing under the Flag of either, and to grant to each other, a general power over those Privateers in all cases where they cannot conveniently sail for the Ports to which they belong, or whenever they be convicted of outrages committed upon the commerce of neutral Nations, with whom both States desire to cultivate the best harmony and good understanding.

X. If in any part of the said States, internal tranquillity should unfortunately be interrupted by turbulent and seditious men, enemies of the Government, legitimately established by the free, quiet, peaceable and legal expression of the Public Will, both Parties solemnly, and formally bind themselves to make common cause against them; mu-

tually assisting each other, with whatsoever means they possess, towards the re-establishment of order and the authority of the Laws.

XI. In order to bind more closely those ties which should unite both States, and in order to remove any difficulties that may present themselves or that may in anywise interrupt a good understanding and harmony, there shall be formed an Assembly composed of Two Plenipotentiaries from each side, in the same manner and with the same formalities, as, in conformity to established usage, should be observed, in the nomination of Ministers of similar rank to the Governments of Foreign Nations.

XII. Both Parties bind themselves to interpose their good offices with the Governments of the other American (formerly Spanish) States, to induce them to enter into this Compact of Union, League and Confederation.

XIII. So soon as this great and important object shall have been attained, there shall be formed a General Assembly of the American States, composed of their Plenipotentiaries, who shall be charged with powers to cement and to establish, in the most solid manner, those intimate relations which ought to subsist between all and each of them:—to act as counsel in cases where conflicting interests may clash:—as a rallying point in common danger:—as faithful interpreters of Public Treaties, when doubts arise, and as Arbitrators and conciliatory Judges in disputes and differences.

XIV. The States of Chile and Peru cheerfully engage to afford the Plenipotentiaries who may compose the Assembly of American States, all that assistance which hospitality, the sacred character and inviolability of their Persons, demand from a fraternal people, whenever those Plenipotentiaries shall think fit to assemble on any point of the Chilen or Peruvian Territory.

XV. This Treaty of Union, Alliance and Confederation, shall not in any manner interfere with the exercise of Sovereign Power by each of the Contracting Parties, whether, as respects their laws, and the establishment and form of their respective Governments, or their relations with other Foreign Nations.—But both Parties expressly and unalterably engage, not to accede to any demands for indemnity, contribution or exaction, which the Spanish Government, or any other Nation in its name, or at its request, may propose on account of the loss of its ancient Supremacy over these Countries; nor enter into any Treaty with Spain, or with any other Nation to the prejudice, or deterioration of this Independence; maintaining on all occasions and in all places their reciprocal interests with the dignity and energy becoming free, independent, friendly, brotherly, and confederated Nations.

XVI. This Treaty or Convention, of Friendship, League, and Confederation, shall be ratified by the Government of the State of Chile,

with the consent of the Most Excellent the Supreme Court of Representatives, within four months from the date hereof, and by the Government of the State of Peru, so soon as it can receive the approbation of the Sovereign Constituent Congress. The Ratifications shall be exchanged without delay, and with as much expedition as the distance between the two seats of Government will permit.

In faith whereof the respective Plenipotentiaries have hereunto signed their names and affixed the Seals of the States which they represent.

Done in the City of Santiago de Chile, on the 23rd day of the month of December, in the year of Grace 1822, and the 13th of the Liberty of Chile and 5th of its Independence; and the 3rd of that of Peru.

JOAQUIN DE ECHEVERRIA.

JOSÉ ANTONIO RODRIGUEZ.

JOSÉ CABERO Y ZALAZAR.

*MESSAGE of the Vice President, on the Opening of the Congress of Colombia.—Bogota, January 2, 1825.*

*(Translation.)*

FELLOW CITIZENS OF THE SENATE, AND CHAMBER OF REPRESENTATIVES.

THIS is precisely the day fixed by our Constitution for convening the Representatives of the Republic, to employ their powers for the good and prosperity of our Constituents. If, in the two preceding Sessions, the Congress assembled at a late period, from causes inherent in the infancy of all Societies, which the enemies of the Republic have affected to overlook, the present Assembly will prove that, with the progression of time, we approach the nearer to the exact observance of Constitutional Principles. I must congratulate Colombia, and you, Gentlemen, on an event which will have so much influence in the stability of our political system, and I do hope for the most prosperous results from the present Session. The Executive performs its duties, with the greatest satisfaction, and contributes towards the happy issue of your legislative labours, whilst it presents to you a clear view of the state of the affairs of the Republic in the different branches of Administration.

The Government of His Catholic Majesty, far from abandoning its antiquated pretensions to the Sovereignty of these Countries, as justice, experience, and the ruin of the Spanish Nation ought to suggest, is engaged in carrying forward its hostile views, without admitting the slightest hope of reconciliation. The Executive has grounds for believing, that the Cabinet of Madrid is informed of the favourable dispositions that exist on our part, to come to an under-

standing, and to put an end to a state of warfare, which for 15 years consecutively has involved the two Nations in so much misery. The ardour with which the Executive has endeavoured to seek for peace with Spain, on the basis of the recognition of our Independence, has not however slackened our vigilance. The Congress may be assured, that our means of defence are really abundant, and that, whatever enterprize may be meditated by Spain against the Republic will serve only to exalt the brilliancy of our Arms, and humble anew the Spanish Power.

Our relations with the American Governments subsist on a footing of amity and good intelligence, becoming States that maintain the same cause. The good offices and succours with which we have assisted Peru, have operated a change so important in that Country, as to leave not the slightest doubt of their Independence and Liberty. The Liberator, President of Colombia, has in this instance more than ever developed those virtues, which are alone the patrimony of great men, and to which the Colombian Republic owes its existence; surrounded by almost insurmountable difficulties, compelled to contend with enemies, who, to the superiority of numbers joined the charm of victory, afflicted by events, which inexperience, weakness, and perfidy had engendered, and uncertain of receiving the fresh reinforcements which Congress, with so much promptitude, decreed to be furnished: the Liberator has been able to overcome all these obstacles, assisted by the patriotism of the Peruvians, who were faithful to their duties, and by the valour of the combined Army, he has liberated an important part of the vast Territory which the Spanish Army governed, after having inflicted on it a terrible humiliation at Junin. The Executive feels confident, that the Auxiliary Troops which left Panama in October last for Peru, have seasonably arrived, and that this augmentation of force will contribute to consolidate the advantages obtained, to accelerate the day of the liberty of Peru, and to fix irrevocably the destiny of South America. This new glory was reserved for Colombia, and you now enjoy the satisfaction of having contributed to facilitate it by the means which were within your power, among which the Decree that allowed the Liberator to leave the Territory of the Republic will always hold the preferable place. Conforming myself to the resolution of the Legislature, I have not ratified the Convention entered into between Colombia and Peru, on the subject of boundaries: notwithstanding its importance, the decision of which involves questions of superior interest, the Executive has abstained from the renewal of the Negotiation, because it felt the expediency of giving an example of good faith and generosity, by suspending all communication upon the subject, whilst the Peruvian Republic was occupied by the Troops of Colombia.

The Republic of Mexico has just given a terrible lesson to the



Usurpers of the power of the People. General Iturbide disregarded the banishment which the Law had imposed on him, and entered the Mexican Territory in a manner which awakened the fears of Government. An Act of Congress, declaring him a traitor, and deserving death, was carried into effect without any opposition. The Government of Mexico seems by such conduct, to have made an important advance towards its prosperity and stability. The most recent intelligence from that part of America, has made us acquainted with the extraordinary and energetic measures, which have been adopted to defend its Independence against the views of Spain, and to compel the Towns which objected to the Compact of Union, to return to their obedience.

The Provinces of Guatemala maintain, without any opposition, the state of Sovereignty proclaimed by their spontaneous will. An accredited Minister from that Government to this Republic is now in this Capital. This is a favourable opportunity to come to an understanding with each other in matters of the highest interest: the fixing of boundaries between Colombia and Guatemala is of imperious necessity, under the circumstances in which some Foreigners are seeking to speculate on the Mosquito Shore, of which the boundary line in the interior is entirely undefined. The Executive, bound by the fundamental Law of the 12th of July, 1821, has declared as belonging to the Republic, the Coast of the Atlantic, comprehended between Cape Gracias à Dios and the River Chagres, rendering null and void every Colonization not made by permission of the Government, and by virtue of the Laws of Colombia. I submit this Decree to your judgment, as well as the argument on which it is rested, to sustain the integrity of the Territory of the Republic and her rights, and to frustrate the views of our enemies.

The state of agitation in which the Empire of Brazil has found itself, has not allowed us to enter into relations of Amity and good intelligence with that Government; with which it is also necessary that we should come to an understanding in regard to boundaries. We are assured of the good disposition of the Emperor towards the Republic of Colombia: on our part we have endeavoured not to give any occasion for complaints or of misunderstanding. When the opportunity shall offer for entering into Negotiations with the Brazilian Government, the Executive will not fail to observe that good faith and frankness, which characterize its principles, adopting in regard to boundaries the Treaty made at Madrid in 1777, between Spain and Portugal.

We maintain with The United States the most friendly and cordial relations. There will soon be laid before you, for your examination, and approval, the Treaty of Peace, Friendship, Navigation and Commerce, which the Executive has made with the Government of those States, through the medium of competently authorized Plenipo-

tentiaries. The principles we have adopted are of a nature so commendable, as to render it unnecessary for me to dwell on any eulogium of them; the Government of Colombia never displayed more attachment to the spirit of civilization and humanity that ought to distinguish the Governments of free people, than in this Treaty. Colombia will have the laudable pride of being the first of the States of the late Spanish America to present herself before the world through the medium of Public Treaties, with the Nation most favoured by the Genius of Liberty. You will likewise examine the Convention settled with those same States to put an end to the horrid Trade in the Negroes of Africa :\* our Laws have declared our repugnance to that execrable traffic, and the Executive has founded its proceeding upon that basis. The Law of the 21st July, of the 11th year of Independence, prohibited the introduction of Slaves, and the Provisional Ordinance in regard to Letters of Marque declared as good Prize, Vessels engaged in trading in African Negroes, taken within the waters of the jurisdiction of the Republic. But as no penalties against the infraction of that Law were fixed, and since it is beneficial to the human race to extend all the Regulations of the Ordinance respecting Letters of Marque, it appeared to the Executive that the Convention with The United States would supply that defect.

To acquaint you fully with what regards our relations with Europe, I deem it a duty to give a proof of my candour by entering into details, which will at once serve to shew their position, and manifest to the world the principles of the policy of the Government of Colombia. The Commissioners of His Britannic Majesty in this Capital applied to the Executive to grant the requisite Exequatur to the appointments of Consuls which The King had sent to some of our Ports. As this application was not accompanied with the Commissions, as usual and customary, the Executive felt regret in deferring the *Exequatur* till those Commissions should be duly presented, trusting that they would be found to be expressed in the terms received among Nations. The Person on whom the appointment of Consul General had been conferred, had scarcely arrived at this Capital, when he presented his Commission, assuring the Executive that the Commissions of the Consuls for La Guayra, Maracaibo, Carthagena and Panamá were expressed in terms similar to his own. The Commission mentioned the *Provinces* of Colombia, instead of the *Republic* of Colombia, by which denomination the Fundamental Law required that this Country should be designated since 1819, and the Consuls were therein accredited to the Authorities that might be established, instead of being accredited to the Executive Power, or to the President of the Republic, in conformity with the principles of public right, of our Constitution, and of what was observed by The United States. The Executive considered these inefficient or equivocal expressions as the

\* Not Ratified by The United States.

unavoidable effect of that state of ambiguity, and practical difficulty in which the English Government found itself placed before recognising the Independence of Colombia, as His Majesty's Ministers had declared before Parliament, for it was really a manifest contradiction to accredit Consuls to the Ports of Colombia in the regular and proper terms of the rights of Nations, and not to recognize the independence and existence of that Government from whom the admission of those persons was sought. The Executive did not hesitate, in adopting the measure most decorous for the Republic, and conducive to the interests of the British Nation: placed in the painful situation of deceiving the Republic by falsely acknowledging, as Consuls competently sent, persons who did not come recommended to the Government of Colombia, and who did not appear to be destined for the Ports of the Republic, it did not hesitate to refuse the Exequatur to their Commissions, and to explain to the Commissioners of His Britannic Majesty the strong grounds for its determination, assuring them that, to give a fresh proof of friendship and good understanding towards the British Government and people, it would permit the persons designated for the Consulships, to protect the Trade and the interests of British Subjects in the capacity of Agents for Commerce and for Seamen.—The Commissioners accepted these conditions with pleasure, without having resisted the powerful arguments on which the refusal of the Exequatur was grounded. Congress will no doubt remember that, in my former Message, I gave them the assurance that, in the course of the Negotiation on foot with the Commissioners of His Britannic Majesty, I would not lose sight of the dignity of the Government, nor of the interests of the Colombian People, and they will find, in the above exposition, that I have fully re-deemed my pledge. Public right does not acknowledge the admission of Consuls as a positive obligation from one Nation towards another; this obligation arises out of Treaties or Conventions entered into between them, or out of a state of peace and friendship between people mutually recognised as independent. This principle, which the English Government itself has observed in regard to the Consul General of Buenos Ayres in London, justified the Executive in withholding the Exequatur, even had the Commissions of the Consuls been addressed to the Republic and Government of Colombia. Since this occurrence nothing has been advanced towards the acknowledgment of our Independence; the Government of His Britannic Majesty makes that event depend on circumstances peculiar to the interests of Great Britain, and to the nature of the information which it may receive from its several Commissioners. Yet, if the Government of His Britannic Majesty follow the impulse of the public opinion of the Nation, and if the information given of the situation of Colombia, be dictated by justice and impartiality, we may reckon that this important



decision of The King of the United Kingdom of Great Britain and Ireland is near at hand.

The Commission of His Majesty the King of The Netherlands has had a similar result. Colonel de Quartell presented himself at this Capital, invested with powers from the Governor and Rear Admiral of the Island of Curaçoa, given by virtue of express orders from his Government. The Commissioner gave us assurances of the friendly sentiments of the King of The Netherlands towards the Republic of Colombia, and of his desire to enter into and cultivate relations of Friendship and Commerce mutually beneficial. The Executive accepted these manifestations with gratitude, and gave assurances of an equal desire on their part with respect to the Kingdom of The Netherlands.—The Commissioner required the Exequatur for the Commissions of the Consuls sent by the Governor and Rear Admiral of Curaçoa, and the Executive declined granting it, since the nomination of these Persons belonged to the Government itself that accredited them, and not to subaltern Authorities. But as it was requisite to give to the Dutch Government a proof of the sincerity of our protestations of friendship, the Executive permitted those Persons to act as Agents of Commerce, who were to have officiated as Consuls had the informality mentioned not been noticed. The Executive believed that by such a measure it conciliated the respect due to the principles of the Rights of Nations, and to the dignity and decorum of the Government, with the obligations of friendship and good understanding which we owe to friendly or neutral Nations who seek intercourse with us, with a view to the welfare of their People, and to general peace.

The Superior Authority of Hayti duly empowered a Public Agent to the Government of Colombia, who proposed to us to enter into and settle a Treaty of defensive Alliance against the invaders of each other's Territory respectively. The language of liberty displayed in the Agents' proposals and the private services which the Liberator and President, at a calamitous epoch, had received from the humane and feeling Petion, did not blind the Executive in regard to the conduct to be observed in so delicate a matter. Hayti had defended its Independence against the pretensions of France, of which Country it constituted a part, as Colombia now defends her Independence against those of Spain: a defensive league therefore with Hayti would place us in a situation of hostility with a Nation against which we have no cause of complaint, nor ought we to provoke it, since it has committed no aggression on us. Whilst the interest of the Republic requires the diminishing of the number of its enemies, the proposed Treaty would tend to increase them, and the proposal was made precisely at the time when the Spanish Government was making efforts to involve France in a War with America. The interests of Hayti and of Colombia never could be the same in regard to their Mother-Countries: an identity of



interests existed between Colombia and the other States of America formerly dependent upon Spain, an identity which induced the Government of the Republic to promote and conclude the Confederation of the New American States. The existing Treaties between them and ourselves prevent us, by their peculiar character, from entering into Alliances with Countries which never belonged to the Spanish Nation : and a defensive Alliance with Hayti might raise up a new enemy against our Allies, without their knowledge or consent. You know, Gentlemen, that the Eastern part of the Island of Saint Domingo belonged to France, by virtue of the Treaty of Basilea, and that it was afterwards restored to Spain by the Treaty of Paris ;—that in the year 1822 the Inhabitants of the Town of St. Domingo proclaimed their Independence, and, in the last days of their political existence, hoisted the Flag of Colombia ;—and that the Chief of Hayti brought that Territory under the submission of his own Government, for reasons which could not be known with exactness, although the prominent one was grounded on the fundamental Law of that Republick. It does not appear that the conduct of the President of Hayti should provoke the hostility of Spain, with which Country alone we are in a state of warfare ; for the Authorities of Hayti, when they occupied that part of the Island which had before been Spanish, did not in fact take possession of a Spanish Territory, but of an Independent Territory which had shewn a disposition to put itself under the protection of Colombia. All these considerations induced the Executive to defer the proposal of the Agent of Hayti until the meeting of the Assembly of Plenipotentiaries from the American Governments. France and our Allies will see in this upright proceeding the principles and the good faith on which the policy of the Colombian Government rests. France in particular must observe that we proceed with frankness and with good intentions in the steps which we have taken towards disposing His Most Christian Majesty favourably towards the Republic, and that we have not imputed to the French Government the suspicious and insidious conduct observed by the Persons in Colombia, who came in the Frigate Tarne, the object of whose voyage appears to have been to visit this Country and examine into the state of its affairs.

The tranquillity which the Republic enjoys has allowed the Executive to propose Regulations for extending the new method of primary Instruction, for increasing the Schools, for establishing new Professorships, and reforming some Colleges which were still infected with the old mode of Colonial education, and were suffering from the horrors of the War. The progress of public education must necessarily be slow, whilst the funds of the Institutions continue so limited and so uncertain as they now are ; and perhaps we should despair of the Establishments which we have begun to form, did we not see that our youth apply themselves assiduously to study, and that their teachers are engaged in public instruction

with no other stimulus than that which their own honour and inclination supplies. I hope that in this Session a general plan of studies may be brought forward, the want of which is every day more sensibly felt.

The Projects of Law on the political regime of the Departments, and on the Administration of Justice, which were laid before the Executive the last day of the former Session, will be returned to you with the alterations which it has been deemed expedient to make in them. I cannot promise to myself that these alterations will alone tend to render such important Laws perfect: yet your wisdom, and the time that admits of their being discussed with attention, inspire me with the confidence that your labours will be perfect and useful to the Republic. The Executive is persuaded that these two Laws will serve to correct the defects in the Administration of the Departments, and to improve, in part, the distribution of Justice; proving a positive and evident benefit to the People who complained with reason of the extensive jurisdiction of the only three Tribunals of Appeal, and of the insignificant power of the Municipalities. But, to render this blessing complete, it is indispensably requisite to frame a Law for organizing the municipal Revenues, since the salubrity, the convenience and the embellishment of Towns, the good condition of the Roads, and the facilities of communication, call for established funds, without which the Municipalities will always remain a nullity.

I can, in general, assure you, that the order and the regularity of march of the constitutional regime has sustained no alteration: the Authorities more than ever respect the Institutions, and the Citizens freely enjoy the right of claiming the fulfilment of the Laws. It would be a true phenomenon in politics that an infant society should advance towards prosperity without obstructions or slight oscillations. Colombia has still to experience the aberrations of ignorance and the effects of the incessant suggestions of our enemies, although it be true that neither the one nor the other can now have any influence in arresting the progress of the Republic towards the goal which she must one day reach. The disturbances in Pasto, which the nature of the locality, and the character of the People were calculated to prolong, have disappeared, and the indulgence of Government has been extended as far as the public security allowed. The activity and vigilance which have suppressed this germ of disunion, will in like manner confound the machinations of those few impotent Individuals who may suffer themselves to be led into faction. The People wish to live in peace, under the protection of the Laws, and whilst they themselves attend to the preservation of public order and to the support of our Institutions, the Republic will enjoy internal Peace, and the armed Force will thus have the less duties to fulfil.

The trade of the Interior requires some regulations to suppress the abuses practised by the Boatmen, and to protect the navigation of the

Rivers: and the Exterior Trade with the Coasts inhabited by wandering Tribes calls for special Laws to relieve the Executive from the difficulties which have occurred of late years.

I ask from Congress the framing of a Law prohibiting the grant of Patents of Naturalization to Individuals of any Nation with whom the Republic may be in a state of warfare: this is one of the Laws which is comprised in the Code of that Nation that may truly call itself free, and it appears superfluous for me to enter into any explanation of its utility.

The poverty of the National Treasury will always be felt whilst the liquidation of arrears is a charge on the ordinary annual Revenue, and the system continues to be pursued of not fixing the public expenditure and duly providing for it. To these causes another may now be added, from the necessity we have been under of increasing the standing Army to oppose a vigorous resistance to the hostile undertakings of Spain. I cannot give you a clear idea of the progress made by the Exchequer, in virtue of the Laws passed during the last Session, the time which has elapsed since their publication having been so short. The Executive has given the necessary impulse to the establishments of the general Administration, of the Treasuries, and Department of Accounts, with every practicable consideration to economy. I trust that during the present Session your attention will be directed to the uniform regulation of the decimal rent, to the reform of the Law respecting the direct contribution, and to other objects which the Executive will point out to you, under the permission granted to it by the Constitution.

The several and unpleasant questions raised on the occasion of the Loan of March, 1822, have been adjusted satisfactorily for those concerned, and honourably for the Republic. The Executive availed itself, in this transaction, of the Power with which you invested it by the Act of the 1st of July, 1823, and the result will in due time be presented to you for your information. The Congress must feel the honourable satisfaction that the conduct which we have observed in this business merits the general approbation of the most respectable Persons among Foreign Nations, who have made themselves acquainted with all the difficulties of the case.

I shall also lay before you a very circumstantial account of the mode and the terms in which the Loan has been completed, which was decreed on the 30th of June of the last year: the conditions of that negotiation have appeared favourable to all those acquainted with the history of the Loans of other Nations. The Executive has seen that its Agents have been bound by the instructions which they received on leaving the Capital: their operations have been conducted under the eye and direction of the Minister of Colombia in London, and the conduct of this public Servant has deserved the marked eulogy of those Persons who have been at hand to observe him. It has



been very gratifying to the Executive that the New Loan was not negotiated until the question of the old one had been satisfactorily settled, and that circumstances so favourable were taken advantage of, which had they been overlooked, might have reduced us to the necessity of accepting conditions highly burthensome. You will examine with scrupulous attention the Documents which will be laid before you, and you will receive from the Secretary of the Treasury every information you may be desirous to obtain, since in this examination are involved the interests of our Constituents, the honour of the Government, and the good faith of the Republic. I can congratulate myself by anticipation that Congress and the Nation will be well satisfied with this transaction.

It is highly important to the public prosperity and to national credit that you dedicate a portion of your labours to the funding of the National Debt; every revolving year is accumulating fresh difficulties for futurity. The Debt embraces various periods, purposes and creditors, that have not yet had a proper classification. You must be well aware of the propriety of such a classification, and of making appropriations, for the punctual discharge of the interest, and the gradual extinction of the Principal. Although in the last Session an Act passed on this matter, you will agree with the Executive that it was both imperfect and informal.

The Standing Army has continued to give proofs of its obedience to the Laws. Although it has had no enemies to combat within the Republic, it has remained on the War footing, which the Politics of Europe rendered necessary. The Executive ordered the Law decreeing the levy of 50,000 men to be carried into effect, so far as it deemed it to be expedient, to reinforce the Auxiliary Army in Peru, to cover the Maritime Departments and to organize the several Corps of Reserve in the Interior. The National Militia has been ordered to be formed on the footing which a Resolution of the Constituent Congress established, so that the Battalions in the service have been augmented by considerable bodies of Citizens, who acknowledge the defence of the Country to be their first duty. You will examine the Provisional Decrees passed by the Executive in executing the Laws on this point, and you will permanently establish the organization of the National Militia in all its branches and details. These measures, and the abundance of the materials of War which we possess, have placed the Republic in a posture to be enabled to present herself completely armed in defence of her independence and of her liberty.

Our Maritime Force is receiving the increase and amelioration which our circumstances permit. The Colombian Flag has made itself respected in every Sea, and wherever it has been engaged in conflict with the Flag of Castile, it has left there a monument of the superiority which the intrepidity of the Sailors of our Navy has attached to it. The Executive has taken measures to fix at once the extent of the Marine



as well on the high Seas, as along the Coasts and Rivers, and to get rid of those Vessels which at present only occasion immense expenses : little, however, can be done unless education be encouraged in this important branch of the service, and the Laws for its Organization and Administration be passed which have been noticed at a former period. Nautical instruction has begun to be established in Carthagena and Guayaquil, with the slender means at the disposal of the Executive : it cannot make a rapid progress unless Congress do all in its power to favour it. Having represented to Congress the state of the Army in my former Messages, pointing out the Laws which appeared to me necessary and just, I shall confine myself merely to recall these representations to your remembrance, in the hope that objects of so much interest may occupy your attention in the present Session.

Such is the state of the Republic in all the branches of its Administration. Amity and good understanding with the American and Foreign Governments ; regularity in its Conventions and Treaties ; order and tranquillity in the Interior ; respect and submission to the Laws ; free exercise of the Press ; the extension and encouragement of public Education ; well grounded hopes of the amelioration of the National Finances ; an Army, covered with laurels, absolutely devoted to the cause of Independence and Liberty ; and sufficient resources to maintain in every event its dignity, its Government, and its Laws. It remains for you to remove the obstacles which impede the rapid march of the Republic towards a more perfect state of prosperity, and correct the defects which public opinion and your own conviction may have discovered. If we cast our view retrospectively and recollect what Colombia was on the day of the promulgation of our Code, we shall acknowledge with agreeable surprize that we have passed over a great space, surmounting enormous difficulties. This reflection should animate us to proceed with zeal, loyalty, and patriotism in the exercise of our respective faculties. The Executive has grounds for expecting the display of these virtues from the Representatives in the Legislative Body, and you must be confident that you will meet, on my part, with all the necessary assistance which experience in the Administration may enable me to offer, and, above all, with the strictest punctuality in the execution of your wise deliberations.

FRANCISCO DE PAULA SANTANDER.

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*MESSAGE of the President to the Senate of The United States, transmitting a Convention and Correspondence with Great Britain, relative to the Suppression of the Slave Trade.—Washington, 30th April, 1824.*

TO THE SENATE OF THE UNITED STATES.

I TRANSMIT to the Senate, for their Constitutional advice with regard

to its ratification, a Convention for the suppression of the African Slave Trade, signed at London, on the 13th ult., by the Minister of The United States, residing there, on their part, with the Plenipotentiaries of the British Government, on the part of that Nation; together with the Correspondence relating thereto; part of which is included in a Communication made to the House of Representatives on the 19th ult. a printed Copy of which is among the Documents herewith sent.

Motives of accommodation to the wishes of the British Government, render it desirable that the Senate should act definitively upon this Convention, as speedily as may be found convenient.

JAMES MONROE.

*Washington, April 30, 1824.*

No. 1.—*Mr. Rush to Mr. Adams.*

SIR,

*London, January 23, 1824.*

I RECEIVED, on the evening of the 20th instant, a Note from Mr. Secretary Canning, requesting me to call, on the following day, at the Foreign Office, for the purpose of meeting there Mr. Huskisson and Mr. Stratford Canning, by which I at once understood, that the Negotiation which the President had confided to me, was now about to have its regular commencement. I went at the time appointed when, meeting these Gentlemen, I was informed by them, that their instructions, as well as Full Powers, as the Plenipotentiaries of this Government, were made out, and that all things were ready, on their side, for opening the negotiation. I replied, that I too was ready on the part of The United States, upon which the 23d was fixed upon for our first meeting.

The negotiation has accordingly been opened this day in due form, at the Office of the Board of Trade. At the wish of Mr. Secretary Canning, specially expressed at the Foreign Office the day before yesterday, the subject of the Slave Trade is that upon which we have first entered. Our introductory conference upon it occupied a couple of hours, when an adjournment took place until Thursday next, the 29th instant. It was agreed that the same subject should then be resumed, and, without discussing others, proceeded with until it should be finished.

In making my reports to you of this negotiation, for the information of the President, my intention is, not to make them from meeting to meeting, a course that might often prove unsatisfactory and unavailing, but to wait the issue of the whole, or, at any rate, the completion of some one subject, before I proceed to write about it. This was the plan pursued at the joint negotiation with this Court, in 1818, in which I bore a share, and I hope will be approved. I will take care to deviate from it, whenever circumstances may seem to

render a deviation necessary and proper. As, moreover, I must, simultaneously with this negotiation, attend to the business of the legation, it has occurred to me, that, as often as I may find it necessary to write to you respecting the latter, whilst the negotiation is in progress, I will go on with the regular series in numbering my Despatches, treating those that I shall write on the negotiation as distinct, and so numbering them.

I cannot flatter myself with the expectation that the work of the negotiation will be very soon done. The subjects are many and complicated; the session of Parliament is at hand, and will, when it arrives, make heavy calls upon the time of one of the British Plenipotentiaries: added to which the daily interruptions to which my own time is liable, always the lot of the permanent incumbent of this mission, will be too liable to increase the unavoidable obstacles to frequent and rapid conferences. I can only repeat, that my best endeavours shall not be spared; and I presume to hope, that my past conduct in this trust will be accepted as the pledge of my future diligence. Although there have been delays in bringing on the negotiation, all my preliminary correspondence in relation to it, will, I trust, have not arisen through my instrumentality.

The standing of one of the British Plenipotentiaries is so well known with us, that I need not speak of it. The other, Mr. Huskisson, (first named in the Commission,) is of the Cabinet, a distinguished Member of the House of Commons, the President of the Board of Trade, and Treasurer of the Navy. Besides his reputation for talents which is high, he seems to be no less generally regarded as a man of liberal principle and conciliating temper.

I have the honor to remain, &c.

RICHARD RUSH.

Hon. John Quincy Adams, *Secretary of State.*

*No. 2.—Mr. Rush to Mr. Adams.*

SIR,

*London, March 15, 1824.*

I HAVE the honour to inform you, that I concluded and signed, on behalf of The United States, the day before yesterday, a Convention with this Government for the suppression of the Slave Trade, which Instrument I herewith transmit to your hands, to be laid before the President.

In my Despatch, No. 335, written previously to the commencement of the negotiation, I mentioned that Mr. Secretary Canning had expressed a wish that the subject of the Slave Trade should be treated separately from all others on which I had received the instructions of my Government, and that I had not thought it necessary to object to this course. In pursuance of it, this subject was accordingly taken up separately, and was the first upon which we entered, as you have

already been informed in my Despatch, which announced the formal opening of the negotiation. The only deviation from the course indicated in my latter Despatch, has been, that other subjects have since been gone into, though none, as yet, finished, a mode of proceeding that was found eligible.

With the Convention, I also transmit the Protocols of the several Conferences at which its provisions were discussed and settled, and for the better understanding of the whole subject, I proceed to give you a more full account of the nature and progress of the discussions, than can be afforded by the Protocols.

I offered, in the first instance, to the British Plenipotentiaries, and without any alteration, the *Projet* that came inclosed to me in your Despatch, No. 65, of the 24th of June, explaining, and recommending its provisions by such considerations as were to be drawn from your Despatch, and others that seemed apposite. They remarked, that they hoped it would be borne in mind, that the plan offered was not the choice of Great Britain, her preference having been distinctly made known to Europe, as well as The United States, for a different plan; nor was it, they said, necessary towards the more effectual abolition of the traffic by her own subjects, her home Statutes and prohibitions being already adequate to that end. As regarded the latter intimation, I replied, that The United States stood upon at least equal ground with Great Britain, their existing Laws against the Slave Trade being marked by even a higher tone of severity, and the consequent exclusion of their Citizens from all participation in the trade, being as was believed, so far as the virtue of municipal Laws could avail, not less effectual. As to the preference of Great Britain for a different plan, I contented myself with alluding, without more of retrospect, to the uniform objections that had been made to it by the leading Powers of Europe, especially by France and Russia, as well as by The United States; and with remarking, that my Government had charged me with the duty of presenting the *Projet* in question, under the twofold view of bringing forward, according to the wish of Great Britain, a substitute for the plan that had been rejected, and to carry into effect a resolution which had passed the House of Representatives of The United States upon this subject, at the close of the last Session of Congress. I added, that it was the sincere belief of my Government, rendering, at the same time, full justice to all the past efforts of Great Britain in the cause of Abolition, that, if she could see her way to the acceptance of the plan now offered, combining, as it did, the great principle of denouncing the Slave Trade as piracy, with a system of international co-operation for its suppression, the evil would be more effectually extirpated, and, at a day not distant, than by any other mode that had heretofore been devised. The British Plenipotentiaries replied, that they would give it a candid



examination, esteeming themselves fortunate, considering the great moral interests at stake, and which both Nations had alike at heart, if they could reconcile its acceptance with the opinions and convictions which had hitherto guided the conduct of their Government on this subject. They gave their unhesitating assent to the principle of denouncing the Traffic as Piracy by the Laws of Great Britain, provided we could arrive at a common mind on all other parts of the plan proposed.

After they had had the plan a proper time under consideration, they expressed their fears that parts of it would prove ineffectual, unless with modifications and additions which they would proceed to enumerate. These were principally as follows: They said that, as soon as the two Powers, by their mutual Laws, had rendered all participation in the Slave Trade Piracy, and, by a formal Convention, agreed to unite their naval efforts for its suppression, it might be expected that the Subjects and Citizens of each who meditated a commission of the offence, would no longer venture to assume the proper Flag of either Country, but seek to shroud their guilt under that of some third Power, not yet a Party to the Convention. British Subjects, or American Citizens, might, for example, readily charter a Danish, a Swedish, or a Russian Vessel, and under cover of either of these Flags, with simulated papers, and other fraudulent contrivances, pursue the Traffic, whilst the true owner of the Vessel remained in ignorance of the real and guilty transaction. Were such transgressors, the British Plenipotentiaries asked, to be screened from all detection and punishment, though the Vessel should be afterwards restored? I answered, that I presumed not, and that the words of the second Article of the Project, *or for the Account of their Subjects or Citizens*, were as I supposed, intended to meet such a case, or other similar attempts to get rid, by evasive pretexts, of the penalties created by the Convention. They agreed, in ascribing to them this meaning, but thought that some more distinctive provision would be necessary to prevent such evasions. They further asked, suppose a British Subject, or an American Citizen, to be taken whilst engaged in the Slave Trade, on board of a Vessel not belonging to either Power, or navigated on account of the Subjects or Citizens of either, and brought into Great Britain or her Dominions, or into The United States; ought he not to be tried indiscriminately, in either Country, since the Laws of each would, alike, brand him as a Pirate? This inquiry, if answered in the affirmative, involving a conflict with one of the primary provisions of the plan, the British Plenipotentiaries did not press, but, on the contrary, willingly withdrew it. They proposed, in lieu of it, that the Subjects or Citizens of either Party, taken under such circumstances, should be sent home for trial, before the Tribunals of their own Country; and, to the proposition, as altered

In this essential particular, I said that there would probably, be no exception taken, for, it might happen, that British Subjects, thus offending, would be found within the jurisdiction of The United States, and, if their own Citizens were ever justly captured whilst so offending, as a Law of Congress already subjected them, when in this predicament, to the doom of Pirates, I did not anticipate, from my Government, any objection to their being sent home, for trial, in our own Courts, under whatever circumstances, or by whatever Country, they might be lawfully seized.

Would not serious or fatal embarrassments, they also asked, arise in regard to evidence, under the criminal prosecution against the Crew of the Slave Trading Vessel, for the act of Piracy, as provided by the Eighth Article of the Projet? If the libel against the Vessel took place first, as was supposed would be the case, how could the Captain or Crew be examined on interrogatories, since the fact of the condemnation of the Vessel would draw after it their own guilt? Their answers, consequently, might bring them into jeopardy. I replied, that the Commander or Boarding Officer, and other Persons belonging to the Capturing Vessel, being sent in as Witnesses against the accused Vessel, might perhaps, under a Convention of a character like the present, supersede, in some degree, the necessity of examining the Crew as was usual in Admiralty Causes: but that, if this would not be proper as a general rule, it might hold good, to some extent, in cases where the interior arrangements and structure of the Vessel, and, above all, the actual presence of the Slaves, combined to establish more unequivocally, to the very eye, the iniquity of the Voyage. At all events, the objection, if valid, which was not admitted, could go no further than to exempt from the criminal prosecution, those of the Crew, supposed to be few in number, who might be selected as witnesses on the part of the State or Crown, leaving the rest open to all the penal inflictions of the Convention. The British Plenipotentiaries ultimately agreed, that the objection was unfounded, on learning from their Law Officers, that, the right of a witness not to answer, where a confession of guilt might be involved, was merely a general shield thrown over him, to be used or not according to circumstances and the opinion of the Court, without otherwise affecting the action at Law, or public prosecution, in the course of which the right might be claimed. It was an independent right, that stood upon its own basis, the existence and knowledge of which was not previously to foreclose the institution of this or any other prosecution, any more than it would the institution of a suit in a Court of Chancery, or before any other judicial Tribunal.

They next drew my attention to the fifth Article, which provides that no Person shall be taken out of the Captured Vessel, a point that I had declared would be considered by my Government as

indispensable. What then, they asked, might sometimes be the lot of the Slaves? Suppose an hundred of them, or even more, on board the Captured Vessel, and that Vessel perhaps a small one; suppose them all crowded together under such circumstances of cruelty, that disease was among them, and death daily thinning their numbers; a supposition not exaggerated under all the recollections of this afflicting Traffic, but too likely to be often realized as long as it was continued; what, in such a case was to be done? I replied, that I did not, for myself, understand the word *Person* as applicable, in this sense, to the Slaves, but to the Crew of the Vessel. Nor did I regard the term *Cargo*, against which a prohibition of removal alike indispensable existed, as descriptive, under this Convention, of the Slaves. Hence, when the removal of the latter, or of any portion of them, should be found obviously necessary, from imperious motives of humanity, I saw no sufficient reason for questioning the propriety of allowing, under suitable regulations, such removal to take place.

As no person belonging to the Crew was to be taken out, the British Plenipotentiaries, continuing their remarks upon the fifth Article, next said, that a power on the part of the capturing Ship to confine the Crew below, or otherwise restrain them, would be absolutely necessary in contingencies to be fairly imagined, to give full effect to the principles which the *Projet* intended to secure. The delinquent Vessel, as often happened, might be powerfully manned. These men, rendered fierce, not to add desperate, by their vocation, and the perils to which by capture they would become exposed, could not want the desire, and would naturally watch the opportunity, of overcoming the Captors in whose custody they were placed. Ought not, therefore, the Captors to be furnished with adequate means of keeping the mastery over them, until the Captured Vessel was safely conveyed to her destination?

Such were the principal amendments or suggestions which the British Plenipotentiaries, at an early stage, put forward, and they were discussed between us in a temper frank and amicable. They declared that they did not offer them in the spirit of objection, but under sincere wishes to secure for the plan, at all points, the recommendations and potency which it must be supposed each Nation equally aimed at imparting to it. It was designed to act upon a stubborn as well as malignant class of offenders, whose cunning was not behind their depravity, and who had hitherto put to scorn the efforts of good men in all Countries, to check the stupendous enormity of their deeds. They concluded with saying, that they would present to my consideration a Counter *Projet* on the part of Great Britain, embracing what they deemed to be the necessary provisions upon the whole subject. I replied, that the Articles of the plan which I had submitted, had not been drawn up to the exclusion of others,



that Great Britain might in turn have to propose; nor were they all to be insisted upon in the shape in which they first stood. There were, indeed, cardinal principles in them, that could on no account be departed from; but there were others, as well as much of detail, open to whatever alterations or additions both Parties might be able to agree in thinking proper and useful. This was the spirit in which I knew it to be the desire of my Government that the Negotiation should be conducted.

The essential principles of our plan, as gathered from my best attention to it, in connection with your instructions, I considered to be, 1st. That this Nation was to declare the Slave Trade Piracy by Act of Parliament. 2. That the captured Vessel was to be sent to her own Country for trial before its own Tribunals, and never before those of the Capturing Power. 3. That no individual belonging to the Crew, was ever to be taken out of the accused Vessel. 4. That the Capturing Officer should be laid under the most effective responsibility for his conduct, in all respects. 5. That no Merchant Vessel, under the protection, or in the presence of a Ship of War of her own Nation, was ever to be visited by a Ship of War of the other Nation. I informed the British Plenipotentiaries, unreservedly, that I could consent to nothing that did not give full security to each and all of the above principles. I knew that some of them bespoke a great change in pre-existing principles and usages, under the Maritime Code of the world; but the change was not for light, but high objects, and was believed, by my Government, to be the only means by which they could be adequately and permanently secured.

At the fourth conference, their Counter Projet was brought forward. I was happy to find that it acceded to all the principles that are above recapitulated, adopting too, and largely, the language in which our own Articles had been framed. To its first Article, however, or rather to that passage in it which relates to convoy, I took strong exception, owing to the manner in which it was worded, and the import that it might bear. I also objected as strongly to the phraseology of so much of its tenth Article as purported to save to both Parties all their existing Rights: upon both these passages; upon their second Article, bringing under the cognizance of the Convention, the Subjects or Citizens of either Power surreptitiously chartering the Flag of a third Power; upon that part of their seventh Article, also, bringing within the pale of the Convention the Subjects or Citizens of either Power, found on board a Slave Trading Vessel of a third Power, though not chartered or owned by them; and upon those parts of their fourth Article which make provision for restraining the Crew of the captured Vessel, and removing the Slaves, full discussions followed at the fourth, the fifth, and the sixth conferences. More than once I was not without apprehensions that the whole work would fall through. More than once it rested upon a difficult balance,



awakening solicitudes for its fate. To their passage on convoy, I objected, on full consideration absolutely, and urged the reinsertion of our own Article on this subject, in its very words, as being simple, intelligible, and appropriate. They as strenuously resisted its reinsertion, not, as they repeatedly and unequivocally declared, from any desire ever to exercise the power which it interdicted, and which would, therefore render the reinsertion superfluous, but because they objected to the word *convoy*, and to the whole formality of our Article, which would be embarrassing in its comparison with the arrangements settled on this point in the Treaty between Great Britain and the Netherlands, of May, 1818. Finally, as I could not give up the principle, but was not tenacious of the word, I agreed to drop it, on having any other words, however few, that would carry the principle, but not more than the principle. Their own words, viz. *except when in the presence of a Ship of War of its own Nation*, would, I said, satisfy me, provided all that followed were expunged; and to this they assented. To the part expunged, I had many objections, and amongst others that it approximated closely to the Article in their Treaty with The Netherlands, if, indeed, constructively, it might not have become identical with it, though the British Plenipotentiaries protested against intending to give it any such character or meaning. It implied, also, I thought, the indecorum of presupposing that the Naval Officers of either Power could be lax in the execution of their own duty.

The words of their tenth Article, designed to save existing Rights I also struck out, declaring that those which formed the concluding passage of our own ninth Article, must be received as the substitute for them. Why, I asked, mention existing Rights at all? By the universal rule of interpretation, applicable to Treaties, they would remain unchanged. The Treaty, or Convention, that we were forming, was special in its objects; special in its powers; special in its concessions. All other Rights, whatever they might be, on either side, that did not range within the peculiar orbit of this Convention—as novel as beneficent in its grand intention,—were necessarily left just as they were before. But they continued to insist upon the exclusion of my words, and the retention of their own, until the close of the sixth conference, when they agreed to allow mine to stand, and to abandon theirs in the parts from which I did not feel authorized to withdraw my opposition. The last member of the sentence upon this point, in the Article as it now stands in the Convention, viz. *nor be taken to affect in any other way, the existing Rights of either of the High Contracting Parties*, is that with which, in the end, they became satisfied. It will be seen how essentially it varies from the parallel passage as first submitted in their Counter Projet.

To the sending home of our Citizens for trial, if taken in the act of Piracy, under the Flag of a third Power, as provided in their

seventh Article, I objected, on more consideration, as not likely to bring with it the due practical reciprocity, when the Convention went into operation. Great Britain had the right, under existing Treaties, to seize the Slave Trading Vessels of Portugal, of Spain, and of The Netherlands; whereas The United States, as yet, had no such correlative Right. But the British Plenipotentiaries earnestly pressed its adoption, with a view to the more full attainment of all the objects of the Convention, now and hereafter. In the face of our own Act of Congress of the 15th of May, 1820, which already subjects to death as a Pirate, any Citizen of The United States, convicted of being of the Crew, or Ship's Company, of any Foreign Vessel engaged in the Slave Trade; in the face, too, of the general rule of Public Law, which has heretofore authorized the punishment of Pirates by the Courts of whatever Nation they may be brought before, I did not feel called upon to persist in my opposition. I could scarcely continue to urge as very objectionable, the being furnished with the means (should the occasion arise,) of executing our own Laws upon our own Citizens, by whomsoever they might be detected and secured, whilst in the act of violating them. The British Plenipotentiaries, moreover, remarked, that the whole Convention exhibited a preponderance of concession on the side of Great Britain, in accommodation to the principles and views of The United States. At our instance, she was about, by a new Statute of her Realm, to make the Slave Trade Piracy; at our instance, she agreed that the captured Vessel and Crew should be sent to their own Country for trial; a course also new to all her past maritime doctrines and experience; and, as regarded all the incidental consequences flowing from these two fundamental concessions, she still, at our instance, gave up, or modified, many of her former National and jurisprudential practices and predilections. They said, too, that the preponderance of burden, under the Convention, would lie with Great Britain, both in the greater number of publick Ships that she would employ in the suppression of the Traffic, and in the fact of The United States not having Colonial Dependencies, as Britain had, to serve as ready depots for those detected in it. I was far from lending my concurrence to these sentiments, which were to be taken with their just qualifications. The occasion, I remarked, was one where, instead of each Nation pushing adverse Rights, or striving for superior advantages, it ought rather to be considered that *each* was equally and spontaneously surrendering up a portion of its anterior system; each moving under one and the same impulse, towards one and the same object; each proposing to itself no other interests than those of benevolence and justice; no other gain (yet how great the gain!) than that of protecting the innocent, and laying prostrate the guilty. It was a Negotiation with this distinguishing feature, that it looked *exclusively* to the benefit of a third Party, assuming reciprocal duties and burdens for its sake, and flinging aside

as alien to the benign spirit in which it was conceived and undertaken, every selfish end or feeling. To the obligations, no less elevated than interesting, that sprung from such a Negotiation, it was believed that neither Party was insensible, and that both stood alike anxious to hail its favorable results. In mentioning the sentiments which the British Plenipotentiaries expressed, it must not be understood that I report them as having been uttered in complaint; and it would be an omission inexcusable in me, were I not to add, that they cordially and zealously responded to the enlarged and animating objects of the International Compact which we were endeavouring to adjust.

To their Second Article, bringing under the penalties of the Compact the Subjects or Citizens of either Power, chartering the Vessel of a third Power for the purpose of carrying on the Trade, I assented, believing that it did no more than effectuate the intention of our own second Article, under words more full. To the provision in their fourth Article, giving a power for laying the Crew of the Captured Vessel under such restraints as might become indispensable for their detention and safe delivery, I also consented; varying its language to such as it will now be seen in the Convention. I considered, in fact, such a power as only analogous, under one view, to that which is familiar to all jurisprudence, of securing an accused Party between the time of arrest and of trial, and as doubly called for in this instance, in that it went to the necessary safeguard and protection of those who were constituted, by the Convention, its incipient Ministers of justice. With a like variation in the language, I consented to the passage, in the same Article, which gives power for removing the Slaves. The preservation of their lives, or other urgent motive of humanity, is made the condition of their removal, and a Stipulation is superadded that they are to be accounted for to the Government of the Country to which the Captured Vessel belongs, and be disposed of according to its Laws.

I have thus indicated all the changes appearing to me to be important between the *Projet* which you committed to me and the Convention as it has been signed. A few other deviations, verbal, or in arrangement, will be perceived, but have not struck me as sufficiently material to call for particular notice or elucidation. The less so as I write under the pressure of other duties, arising out of the general Negotiation, and with a desire to secure for the Convention as early an arrival at Washington as possible: considerations which, I trust, will account for, and excuse, my omitting to trace, by minute marginal parallels, the whole of the alterations superinduced upon the Counter *Projet*, before the work was terminated. It is only left for me to hope that this Despatch, with its Enclosures, will render the progress of the Negotiation intelligible. It may be needless in me to say, that I have done all in my power to make the result satisfactory. The motive for



using all practicable expedition in making up my Despatch is, that, should the Convention be approved by the President, the option may not be lost of submitting it to the consideration of the Senate, before the present Session of Congress reaches its close. Should it, looked at as a whole, meet acceptance in the eyes of my Government, and become, happily, the era of a new and saving spirit introduced into the Laws of Nations for the relief of Africa, her redeemed and grateful children will have cause to pour out the fervent thanksgiving of their hearts towards those Christian Powers that have, at length, been enabled, and rejoice that they have been enabled, to arrest the portentous desolation that for long Ages has swept over their Land, filling it with the concentration of every human woe. Then, at last, may we all hope, and not in vain, to see their tears dried up, their sufferings turned to joy, their groans to songs of benediction.

The Enclosures of this Despatch are, 1st, The Convention. 2d, The British Counter Projet, marked C. 3d, Copies of the first, second, fourth, fifth, sixth, and seventh Protocols. I have ventured to omit sending a Copy of our own Projet, marked B.\* it having been submitted in the precise state in which I had it from you. Nor do I employ a special messenger for conveying the Convention; not having done so when I forwarded the Treaty of 1818, a course that was not disapproved. I shall now, as then, commit it to the care of our Consul at Liverpool, with a request that he will get it on Shipboard with all speed, and under the best auspices he can command.

I have the honour to remain, &c.

RICHARD RUSH.

HON. JOHN QUINCY ADAMS, *Secretary of State.*

*Enclosure in No. 2.*

CONVENTION WITH GREAT BRITAIN.

The United States of America, and His Majesty the King of the United Kingdom of Great Britain and Ireland, being desirous to co-operate for the complete suppression of the African Slave Trade, by making the Law of Piracy, as applied to that Traffic under the Statutes of their respective Legislatures, immediately and reciprocally operative on the Vessels and Subjects, or Citizens, of each other, have respectively appointed their Plenipotentiaries to negotiate and conclude a Convention for that purpose, that is to say: on the part of The United States of America, Richard Rush, Envoy Extraordinary and Minister Plenipotentiary from those States to the Court of His Majesty; and, on the part of His Britannic Majesty, The Right Hon. William Huskisson, a Member of His Majesty's most Hon. Privy Council, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, Treasurer of His Majesty's Navy,

\* See last Vol. Page 745.



and a Member of the Parliament of the United Kingdom; and The Right Hon. Stratford Canning, a Member of His said Majesty's most Hon. Privy Council, and His Envoy Extraordinary and Minister Plenipotentiary to The United States of America: which Plenipotentiaries, after duly communicating to each other their respective Full Powers, found to be in proper form, have agreed upon, and concluded, the following Articles:

I. The Commanders and Commissioned Officers of each of the two High Contracting Parties, duly authorized, under the Regulations and Instructions of their respective Governments, to cruize on the Coasts of Africa, of America, and of the West Indies, for the suppression of the Slave Trade, shall be empowered, under the conditions, limitations, and restrictions, hereinafter specified, to detain, examine, capture, and deliver over for trial and adjudication, by some competent Tribunal of which ever of the two Countries it shall be found, on examination, to belong to, any Ship or Vessel concerned in the illicit Traffic of Slaves, and carrying the Flag of the other, or owned by any Subjects or Citizens of either of the two Contracting Parties, except, when in the presence of a Ship of War of its own Nation: and, it is further agreed, that any such Ship or Vessel, so captured, shall be either carried or sent by the Capturing Officer, to some Port of the Country to which it belongs, and there given up to the Competent Authorities, or be delivered up for the same purpose to any duly Commissioned Officer of the other Party; it being the intention of the High Contracting Powers, that any Ship or Vessel within the purview of this Convention, and seized on that account, shall be tried and adjudged by the Tribunals of the captured Party, and not by those of the Captor.

II. In the case of any Ship or Vessel detained under this Convention, by the Cruizers of either of the two Contracting Parties, on suspicion of carrying on the Slave Trade, being found, on due examination by the boarding Officer, to be chartered on account of any of the Subjects or Citizens of the other Party, although not actually bearing the Flag of that Party, nor owned by the Individuals on whose account she is chartered, or by any other Citizens or Subjects of the same Nation; it is hereby agreed, that, in such case also, upon the delivery of the said Vessel to the Tribunals of that Country to which the Persons on whose account she is chartered belong, the Vessel, Cargo, and Crew, shall be proceeded against in like manner as any other Vessel, Cargo, and Crew, within the purview of this Convention, in so far as the general practice under the Law of Nations will allow.

III. Whenever any Naval Commander, or Commissioned Officer, of either of the two Contracting Powers, shall, on the high seas, or any where not within the exclusive jurisdiction of either Party, board, or cause to be boarded, any merchant Vessel bearing the Flag of the

other Power, and visit the same as a Slave Trader, or on suspicion of her being concerned in the Slave Trade; in every such case, whether the Vessel so visited shall, or shall not, be captured and delivered over, or sent into the Ports of her own Country for trial and adjudication, the Boarding Officer shall deliver to the Master or Commander of the visited Vessel, a Certificate, in writing, signed by the said Boarding Officer, and specifying his rank in the Navy of his Country, together with the names of the Commander by whose orders he is acting, and of the national Vessel commanded by him; and the said Certificate shall further contain a declaration, purporting that the only object of the visit is to ascertain whether the merchant Vessel in question is engaged in the Slave Trade, or not; and, if found to be so engaged, to take and deliver her to the Officers or Tribunals of her own Country, being that of one of the two Contracting Parties, for trial and adjudication.

In all such cases, the Commander of the national Vessel, whether belonging to Great Britain or to The United States, shall, when he makes delivery of his capture, either to the Officers or to the Tribunals of the other Power, deliver all the papers found on board the captured Vessel, indicating her national character, and the objects of her voyage, and, together with them, a Certificate, as above, of the visit, signed with his name, and specifying his rank in the Navy of his Country, as well as the name of the Vessel commanded by him, together with the name and professional rank of the Boarding Officer by whom the said visit has been made.

This Certificate shall also contain a List of all the Papers received from the Master of the Vessel detained or visited, as well as those found on board the said Vessel: it shall also contain an exact description of the state in which the Vessel was found when detained, and a statement of the changes, if any, which have taken place in it, and of the number of Slaves, if any, found on board at the moment of the detention,

IV. Whenever any merchant Vessel of either Nation shall be visited, under this Convention, on suspicion of such vessel being engaged in the Slave Trade, no search shall, in any such case, be made on board the said Vessel, except what is necessary for ascertaining, by due and sufficient proofs, whether she is, or is not, engaged in that illicit Traffic. No Person shall be taken out of the Vessel so visited, (though such reasonable restraints as may be indispensable for the detention and safe delivery of the Vessel, may be used against the Crew) by the Commanding Officer of the visiting Vessel, or under his Orders; nor shall any part of the Cargo of the visited Vessel be taken out of her, till after her delivery to the Officers or Tribunals of her own Nation; excepting only, when the removal of all, or a part of the Slaves, if any, found on board the visited Vessel, shall be indis-

pensable, either for the preservation of their lives, or from any other urgent consideration of humanity, or for the safety of the Person charged with the navigation of the said Vessel after her Capture. And any of the Slaves, so removed, shall be duly accounted for to the Government of that Country to which the visited Vessel belongs, and shall be disposed of according to the Laws of the Country into which they are carried; the regular Bounty, or Head-money, allowed by Law, being, in each instance, secured to the Captors, for their use and benefit, by the receiving Government.

V. Whenever any merchant Vessel, of either Nation, shall be captured, under this Convention, it shall be the duty of the Commander of any Ship belonging to the public Service of the other, charged with the instructions of his Government for carrying into execution the provisions of this Convention, at the requisition of the Commander of the capturing Vessel, to receive into his custody the Vessel so captured, and to carry or send the same for trial and adjudication into some Port of his own Country, or its Dependencies. In every such case, at the time of the delivery of the Vessel, an authentic Declaration shall be drawn up in triplicate, and signed by the Commanders, both of the delivering and receiving Vessels; one Copy signed by both, to be kept by each of them, stating the circumstances of the delivery, the condition of the captured Vessel at the time of delivery, including the names of her Master or Commander, and of every other person, not a Slave, on board at that time, and exhibiting the number of the Slaves, if any, then on board her, and a List of all the Papers received or found on board at the time of capture, and delivered over with her. The third copy of the said Declaration shall be left in the captured Vessel, with the Papers found on board, to be produced before the Tribunal charged with the adjudication of the Capture.

And the Commander of the capturing Vessel shall be authorised to send any one of the Officers under his command, and one or two of his Crew, with the captured Vessel, to appear before the competent Tribunal, as witnesses of the facts regarding her detention and capture; the reasonable expenses of which witnesses, in proceeding to the place of Trial, during their detention there, and for their return to their own Country, or to their station in its service, shall be allowed by the Court of adjudication, and defrayed, in the event of the Vessel being condemned, out of the proceeds of its sale; in case of the acquittal of the Vessel, the expenses, as above specified, of these witnesses, shall be defrayed by the Government of the capturing Officer.

VI. Whenever any Capture shall be made, under this Convention, by the Officers of either of the Contracting Parties, and no National Vessel of that Country to which the captured Vessel belongs is cruizing on the same station where the Capture takes place, the Com-

Officers of the Navy of the other, except Vessels engaged, or suspected of being engaged, in the African Slave Trade ; or for any other purpose, whatever, than that of seizing and delivering up the Persons and Vessels concerned in that Traffic, for Trial and adjudication, by the Tribunals and Laws of their own Country ; nor be taken to affect, in any other way, the existing rights of either of the High Contracting Parties.

And they do, also, hereby agree and engage to use their influence, respectively, with other Maritime and Civilized Powers, to the end that the African Slave Trade may be declared to be Piracy under the Law of Nations.

XI. The present Convention, consisting of Eleven Articles, shall be ratified, and the Ratifications exchanged at London, within the term of twelve months, or as much sooner as possible.

In witness whereof, the respective Plenipotentiaries, have signed the same, and have affixed thereunto the Seals of their Arms.

Done at London, the 13th day of March, in the year of our Lord 1824.

RICHARD RUSH.

W. HUSKISSON.  
STRATFORD CANNING.

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*Enclosures in No. 2.*

PROTOCOL OF THE FIRST CONFERENCE.

*Board of Trade, January 23, 1824.*

*Present*—Mr. Rush, Mr. Huskisson, Mr. Stratford Canning.

It was agreed, after the communication and exchange of the respective Full Powers, that the Negotiation should be carried on by Conference and Protocol, with the right on both sides, of annexing to the Protocol, any written Statement which either Party might consider necessary, as matter either of record or of explanation.

It was further agreed, that the Slave Trade should be made the first subject of discussion ; and that any Articles on that head, which the Parties might agree in drawing up, should be formed into a separate Convention, to be submitted for ratification to the respective Governments, immediately on its conclusion, and without reference to the state of the Negotiation on other matters.

The British Plenipotentiaries intimated their expectation to receive from Mr. Rush, in the first instance, a full communication of the proposals intended to be brought forward successively by his Government, under the heads of the several questions for the adjustment of which the Negotiation had been opened, in conformity with the annexed Memorandum, previously communicated by him, [marked A.]

In pursuance of this intimation, Mr. Rush, after some introductory



remarks, explanatory of the views of his Government upon this subject, communicated, *in extenso*, the Projet of a Convention for effecting a system of co-operation between The United States and Great Britain, with a view to the complete suppression of the Slave Trade.

The British Plenipotentiaries, in receiving this Projet, observed, that they could not be expected to express any opinion as to its admissibility, either in whole or in part, on a first perusal; to which observation the American Plenipotentiary assented, and it was agreed that the next Conference should take place on Monday, the 2d of February.

W. HUSKISSON.

RICHARD RUSH.

STRATFORD CANNING.

(A.)—*Memorandum referred to in the first Conference.*

1. Commercial intercourse between The United States and the Colonial Possessions of Great Britain in America and the West Indies; and the Claim of The United States to the navigation of the River St. Lawrence.

Suppression of the Slave Trade.

3. Boundary Line under the 5th Article of the Treaty of Ghent.

4. Admission of Consuls of The United States in the Colonial Ports of Great Britain.

5. Newfoundland Fishery.

6. Ukase of His Imperial Majesty the Emperor of Russia, of September, 1821, with a view to an adjustment of the Boundaries between The United States and Great Britain, on the Northwest Coast of America.

7. Questions of Maritime Law heretofore in discussion between the Two Nations; and, also, that of abolishing Privateering as between them.

#### PROTOCOL OF THE SECOND CONFERENCE.

*Board of Trade, February 2, 1824.*

*Present*—Mr. Rush, Mr. Huskisson, Mr. Stratford Canning.

The Protocol of the preceding Conference was read over and signed.

The British Plenipotentiaries stated that, after mature consideration of the Projet given in by Mr. Rush, at the former Conference, they were disposed to consent to the general principle on which it rested, but that there were serious difficulties in the mode of carrying that principle into effect, which they wished to point out and discuss with Mr. Rush, in the hope of arriving, with his assistance, at some solution, satisfactory to both Parties.

The discussion which ensued, with a view to the removal or modification of such provisions in the Projet as were thought likely to ren-

der the proposed Convention more or less ineffectual, terminated in an agreement, on the part of the American Plenipotentiary, after he had stated his first impressions on the subject, to reconsider, more at leisure, the points of his *Projet* which appeared objectionable to the British Plenipotentiaries, and, on their part, to ascertain, by reference to the proper Law Officers, how far it might be practicable to obviate the legal difficulties on their side.

It was agreed to meet again on the 5th instant, and, in case of any further causes of delay arising in the consideration of the Slave Trade *Projet*, to proceed at once with the next subject of Negotiation, until these causes should be removed.

RICHARD RUSH.

W. HUSKISSON.

STRATFORD CANNING.

PROTOCOL OF THE FOURTH CONFERENCE.

*Board of Trade, February 16, 1824.*

*Present*—Mr. Rush, Mr. Huskisson, Mr. Stratford Canning.

The Protocol of the preceding Conference was read over and signed.

Several points connected with the propositions brought forward by the American Plenipotentiary in the previous Conferences, were informally discussed, with a view to explanation, and, if possible, to the removal of difficulties on both sides.

The British Plenipotentiaries communicated a Counter *Projet*, comprising the principal alterations which they proposed to introduce into the Articles on the Slave Trade, presented by Mr. Rush, and annexed to the Protocol of the first Conference.

After discussing these alterations in a general way, it was agreed that a formal consideration of the Articles on this subject, as produced on both sides, should take place at the next Conference, to be fixed at as early a period as possible, with a view to the conclusion of a Convention satisfactory to each of the Contracting Parties.

RICHARD RUSH.

W. HUSKISSON.

STRATFORD CANNING.

PROTOCOL OF THE FIFTH CONFERENCE.

*Board of Trade, March 9, 1824.*

*Present*—Mr. Rush, Mr. Huskisson, Mr. Stratford Canning.

The Protocol of the preceding Conference was read over and signed.

The discussion which had taken place at the last Conference, upon the subject of the Slave Trade, was renewed, principally with reference to the first and tenth Articles of the counter *Projet* of the British Plenipotentiaries.

No satisfactory adjustment of the points at issue being arrived at,

it was agreed to meet again on the 11th instant, for their further consideration.

**RICHARD RUSH.** **W. HUSKISSON.**  
**STRATFORD CANNING.**

## PROTOCOL OF THE SIXTH CONFERENCE.

*Board of Trade, March 11, 1824.*

**Present**—Mr. Rush, Mr. Huskisson, Mr. Stratford Canning.

The Protocol of the preceding Conference was read over and signed.

The points on the subject of the Slave Trade, which had been left undetermined at the last Conference, were again brought under discussion, and, being at length satisfactorily adjusted, it was determined that, at the next meeting, to be held on the 13th instant, the business should be completed by the signature of the Convention as agreed on.

**RICHARD RUSH.** **W. HUSKISSON.**  
**STRATFORD CANNING.**

## PROTOCOL OF THE SEVENTH CONFERENCE.

*Board of Trade, March 13, 1824.*

*Present*—Mr. Rush, Mr. Huskisson, Mr. Stratford Canning.

The Protocol of the preceding Conference was read over and signed.

In pursuance of the agreement entered into at the last Conference, the Convention on the subject of the Slave Trade was produced, and being found, on perusal, to be, in all respects, satisfactory to the Plenipotentiaries, on both sides, received their respective signatures.

The Protocol of the present Conference was also read over and signed.

**RICHARD RUSH.** **W. HUSKISSON.**  
**STRATFORD CANNING.**

**MESSAGE** of the President to the Senate, on the same subject.—21st May, 1824.

**TO THE SENATE OF THE UNITED STATES :**

APPREHENDING, from the delay in the decision, that some difficulty exists with the Senate, respecting the Ratification of the Convention lately concluded with the British Government for the suppression of the Slave Trade, by making it piratical, I deem it proper to communicate, for your consideration, such views as appear to me to merit attention. Charged, as the Executive is, and as I have long been, with maintaining the political relations between The United States and other Nations, I consider it my duty, in submitting for your advice and consent, as to the Ratification, any Treaty or Convention which has

been agreed on with another Power, to explain, when the occasion requires it, all the reasons which induced the measure.

It is by such full and frank explanation, only, that the Senate can be enabled to discharge the high trust reposed in them with advantage to their Country. Having the instrument before them, with the views which guided the Executive in forming it, the Senate will possess all the light necessary to a sound decision.

By an Act of Congress, of 15th May, 1820, the Slave Trade, as described by that Act, was made piratical, and all such of our Citizens as might be found engaged in that Trade, were subjected, on conviction thereof, by the Circuit Courts of The United States, to capital punishment. To communicate more distinctly the import of that Act, I refer to its fourth and fifth Sections, which are in the following words:

"Sec. 4. *And be it further enacted*, That, if any Citizen of The United States, being of the Crew or Ship's Company of any Foreign Ship or Vessel, engaged in the Slave Trade, or any Person whatever, being of the Crew or Ship's Company of any Ship or Vessel, owned in the whole or part, or navigated for, or in behalf of, any Citizen or Citizens of The United States, shall land from any such Ship or Vessel, and on any Foreign shore seize, any Negro or Mulatto, not held to service or labour by the Laws of either of the States or Territories of The United States, with intent to make such Negro or Mulatto a Slave, or shall decoy or forcibly bring or carry, or shall receive such Negro or Mulatto on board any such Ship or Vessel, with intent as aforesaid, such Citizen or Person shall be adjudged a Pirate, and, on conviction thereof before the Circuit Court of The United States, for the district wherein he may be brought or found, shall suffer death."

"Sec. 5. *And be it further enacted*, That, if any Citizen of The United States, being of the Crew or Ship's Company of any Foreign Ship or Vessel engaged in the Slave Trade, or any Person whatever, being of the Crew or Ship's Company of any Ship or Vessel, owned wholly or in part, or navigated for, or in behalf of, any Citizen or Citizens of The United States, shall forcibly confine or detain, or aid or abet in forcibly confining or detaining, on board such Ship or Vessel, any Negro or Mulatto not held to service by the Laws of either of the States or Territories of The United States, with intent to make such Negro or Mulatto a Slave, or shall, on board any such Ship or Vessel, offer or attempt to sell, as a Slave, any Negro or Mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer or deliver over, to any other Ship or Vessel, any Negro or Mulatto, not held to service as aforesaid, with intent to make such Negro or Mulatto a Slave, or shall land, or deliver on shore, from on board any such Ship or Vessel, any such Negro or Mulatto, with intent to make sale of, or having previously sold such Negro or Mu-



latto as a Slave, such Citizen or Person shall be adjudged a Pirate; and, on conviction thereof, before the Circuit Court of The United States, for the district wherein he may be brought or found, shall suffer death."

And on the 28th of February, 1823, the House of Representatives, by a majority of 131 to 9, passed a resolution to the following effect:

"*Resolved*, That the President of The United States be requested to enter upon, and prosecute, from time to time, such Negotiations with the several Maritime Powers of Europe and America, as he may deem expedient for the effectual Abolition of the African Slave Trade, and its ultimate denunciation as Piracy, under the Law of Nations, by the consent of the Civilized World."

By the Act of Congress above referred to, whereby the most effectual means that could be devised were adopted, for the extirpation of the Slave Trade, the wish of The United States was explicitly declared that all Nations might concur in a similar Policy. It could only be by such concurrence, that the great object could be accomplished; and it was by Negotiation and Treaty alone, that such concurrence could be obtained, commencing with one Power, and extending it to others. The course, therefore, which the Executive, who had concurred in the Act, had to pursue, was distinctly marked out for it. Had there, however, been any doubt respecting it, the Resolution of the House of Representatives, the branch which might with strict propriety express its opinion, could not fail to have removed it.

By the tenth Article of the Treaty of Peace between The United States and Great Britain, concluded at Ghent, it was stipulated that both Parties should use their best endeavours to accomplish the Abolition of the African Slave Trade. This object has been, accordingly, pursued by both Governments, with great earnestness, by separate Acts of Legislation, and by Negotiation, almost uninterrupted, with the purpose of establishing a concert between them in some measure, which might secure its accomplishment.

Great Britain, in her Negotiations with other Powers, had concluded Treaties with Spain, Portugal, and The Netherlands, in which, without constituting the crime as Piracy, or classing it with crimes of that denomination, the Parties had conceded to the Naval Officers of each other, the right of search and capture of the Vessels of either, that might be engaged in the Slave Trade, and had instituted Courts, consisting of Judges, Subjects of both Parties, for the trial of the Vessels so captured.

In the Negotiations with The United States, Great Britain had earnestly and repeatedly pressed on them the adoption of similar provisions. They had been resisted by the Executive on two grounds: one, that the constitution of Mixed Tribunals was incompatible with

their Constitution; and the other, that the concession of the right of search, in time of Peace, for an offence not piratical, would be repugnant to the feelings of the Nation, and of dangerous tendency. The right of search is the right of War, of the belligerent towards the neutral. To extend it in time of Peace, to any object whatever, might establish a precedent which might lead to others with some Powers, and which, even if confined to the instance specified, might be subject to great abuse.

Animated by an ardent desire to suppress this Trade, The United States took stronger ground, by making it, by the Act above referred to, piratical; a measure more adequate to the end, and free from many of the objections applicable to the plan which had been proposed to them. It is this alternative which the Executive, under the sanctions and injunctions above stated, offered to the British Government, and which that Government has accepted. By making the crime Piracy, the right of search attaches to the crime, and which, when adopted by all Nations, will be common to all; and that it will be so adopted, may fairly be presumed, if steadily persevered in by the Parties to the present Convention. In the mean time, and with a view to a fair experiment, the obvious course seems to be, to carry into effect, with every Power, such Treaty as may be made with each in succession.

In presenting this alternative to the British Government, it was made an indispensable condition that the Trade should be made piratical by Act of Parliament, as it had been by an Act of Congress. This was provided for in the Convention, and has since been complied with. In this respect, [therefore, the two Nations rest on the same ground. Suitable provisions have also been adopted, to protect each Party from the abuse of the power granted to the public Ships of the other. Instead of subjecting the Persons detected in the Slave Trade to trial by the Courts of the Captors, as would be the case if such Trade was Piracy by the Law of Nations, it is stipulated that, until that event, they shall be tried by the Courts of their own Country only. Hence, there could be no motive for an abuse of the right of search, since such abuse could not fail to terminate to the injury of the Captor.

Should this Convention be adopted, there is every reason to believe, that it will be the commencement of a system destined to accomplish the entire Abolition of the Slave Trade. Great Britain, by making it her own, confessedly adopted at the suggestion of The United States, and being pledged to propose and urge its adoption by other Nations, in concert with The United States, will find it for her interest to abandon the less effective system of her previous Treaties with Spain, Portugal, and The Netherlands, and to urge on those and the other Powers, their accession to this. The crime will then be universally proscribed as Piracy, and the Traffic be suppressed for ever.

Other considerations of high importance urge the adoption of this Convention. We have, at this moment, pending with Great Britain, sundry other Negotiations, intimately connected with the welfare, and even with the Peace, of our Union. In one of them, nearly a third part of the Territory of the State of Maine is in contestation. In another, the Navigation of the St. Lawrence, the admission of Consuls into the British Islands, and a system of commercial intercourse between The United States and all the British Possessions in this hemisphere, are subjects of discussion. In a third, our territorial and other rights upon the Northwest Coast, are to be adjusted; while a Negotiation on the same interest is opened with Russia. In a fourth, all the most important controvertible points of Maritime Law, in time of War, are brought under consideration; and, in the fifth, the whole system of South American concerns, connected with a general recognition of South American Independence, may again, from hour to hour, become, as it has already been, an object of concerted operations of the highest interest to both Nations, and to the peace of the world.

It cannot be disguised, that the rejection of this Convention could not fail to have a very injurious influence on the good understanding between the two Governments, on all these points. That it would place the Executive Administration under embarrassment, and subject it, the Congress, and the Nation, to the charge of insincerity respecting the great result of the final suppression of the Slave Trade, and that its first and indispensable consequence will be, to constrain the Executive to suspend all further Negotiation with every European and American Power, to which overtures have been made, in compliance with the Resolution of the House of Representatives, of the 28th February, 1823, must be obvious. To invite all Nations, with the Statute of Piracy in our hands, to adopt its principles as the Law of Nations, and yet to deny to all the common rights of search for the Pirate, whom it would be impossible to detect, without entering and searching the Vessel, would expose us, not simply to the charge of inconsistency.

It must be obvious, that the restriction of search for the Pirates to the African Coast, is incompatible with the idea of such a crime. It is not doubted, also, if the Convention is adopted, that no example of the commission of that crime, by the Citizens or Subjects of either Power, will ever occur again. It is believed, therefore, that this right, as applicable to Piracy, would not only extirpate the Trade, but prove altogether innocent in its operation.

In further illustration of the views of Congress, on this subject, I transmit to the Senate, Extracts from two Resolutions of the House of Representatives, one of the 9th February, 1821, the other of 12th

April, 1822. I transmit, also, a Letter from the *Chargé d'Affaires* of the British Government, which shows the deep interest which that Government takes in the ratification of the Treaty.

Washington, May 21, 1824.

JAMES MONROE.

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*Mr. Addington to the Secretary of State.*

SIR,

Washington, May 16, 1824.

NEARLY three weeks have now elapsed since I had the honour of making my first communication to you on the subject of the Convention concluded on the 13th of March last, between the British Government and the American Envoy in London.

At that time, in pursuance of instructions conveyed to me, from His Majesty's Secretary of State for Foreign Affairs, I made known to you the earnest desire of the British Government that no time should be lost by that of The United States, in proceeding to the Ratification of that Instrument, in order that it might be returned to England in time to have it submitted to Parliament prior to its prorogation, which was expected to take place at an early period.

I flattered myself, Sir, that the wish, thus anxiously expressed by me on behalf of His Majesty's Government, would meet with a corresponding ardour on the part of all the Authorities to whom it was addressed, especially, considering that the Project of the Convention originated with this Government, at the instigation of the House of Representatives; and that His Majesty's Ministers had not hesitated an instant to comply with the preliminary Act, desired by the President, of procuring the passage of a Bill through Parliament, denouncing as Piracy, by Statute, the African Slave Trade, when exercised by British Subjects;

This consideration, Sir, necessarily precludes my entertaining a doubt as to the eventual Ratification of the Convention by this Government, and I therefore attribute the delay, which has hitherto occurred, to the pressure of other business, which it would have been found inconvenient to postpone.

I think it my duty, however, to press once more, and in the most earnest manner, upon your attention, the anxiety of the British Government on this subject. Of this anxiety, a most convincing proof may be found in the circumstance of an extra Packet having been despatched by them for the sole purpose of conveying to this Country the Act of Parliament, declaring the Slave Trade Piracy, immediately after its passage through both Houses, in order that the want of that Document might not oppose any obstacle to the sanction of the Convention by this Government.

Perhaps, Sir, you will allow me to add, that I now detain that same Packet for the express purpose of reconveying the Instrument in



question, as soon as ratified, with the utmost possible celerity, to England.

I have the honour to be, &c.

H. U. ADDINGTON.

Hon. JOHN Q. ADAMS, *Secretary of State.*

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*PROCEEDINGS of the Senate on the Treaty.*

*Extract from the Journal of Executive Proceedings. Saturday,  
May 22, 1824.*

*Resolved*, two thirds of the Senators present concurring therein, That the Senate do advise and consent to the Ratification of the Convention made and concluded at London, the 13th day of March, 1824, between The United States of America and the King of the United Kingdom of Great Britain and Ireland, with the exception of the words "*of America*," in line four, of the first Article; with the exception of the *second Article*; and of the following words, in the seventh Article: "And it is further agreed, that any Individual, being a Citizen or Subject of either of the two Contracting Parties, who shall be found on board any Vessel not carrying the Flag of the other Party, nor belonging to the Subjects or Citizens of either, but engaged in the illicit Traffic of Slaves, and seized or condemned on that account, by the Cruizers of the other Party, under circumstances which, by involving such Individual in the guilt of Slave Trading, would subject him to the penalties of Piracy, he shall be sent for trial before the competent Court in the Country to which he belongs; and the reasonable expenses of any witnesses, belonging to the capturing Vessel, in proceeding to the place of trial, during their detention there, and for their return to their own Country, or to their station in its service, shall, in every such case, be allowed by the Court, and defrayed by the Country in which the trial takes place." *Provided*, That an Article be added, whereby it shall be free to either of the Parties, at any time, to renounce the said Convention, giving six months' notice beforehand.

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*FURTHER Correspondence on the same Subject; contained in a Message from the President of The United States to Congress, of the 27th of December, 1825.*

*H. U. Addington, Esq. to The Hon. J. Q. Adams.*

SIR,

*Washington, March 2, 1825.*

ON the 6th of November last, I had the honour to inform you, that I had received Full Powers from His Majesty, to conclude and sign with this Government, a Convention, *verbatim* the same as that

entered into on the 13th of March, last year, between Great Britain and The United States, with all the Amendments subsequently effected in it by the Senate, the erasure of the words "and America" in the first Article, excepted. In reply to that Communication, you did me the honor to acquaint me, that the President had decided upon referring the whole subject to Congress, whereby it became necessary for you to postpone giving a definitive answer to my proposal. This Resolution of the President was, at the commencement of the Session, carried into effect; and I understand that the subject has been under the consideration of Congress. You will therefore, I trust Sir, allow me now to request to be made acquainted with the definitive intention of the President, with respect to the proposition submitted by me on behalf of His Majesty's Government.

I have the honor to be, &c.

Hon. John Quincy Adams.

H. U. ADDINGTON.

*The Hon. H. Clay to H. U. Addington, Esq.*

SIR,

*Department of State, Washington, April 6, 1825.*

I have the honor to inform you that the delay in the transmission of a definitive answer to your Note of the 6th, of November last, has proceeded from an anxious desire on the part of the late President of The United States, to ascertain the practicability of reconciling, if possible, the views of the Government of The United States with those which are entertained by that of His Britannic Majesty, in respect to the Convention for more effectually suppressing the Slave Trade. With that object, the Correspondence with your Government, and the Convention in which it terminated, together with what has since passed between the two Governments, both here and at London, were submitted to Congress during its late Session. Of that reference you were apprized, by the Note of my Predecessor, of the 4th December last. It has so happened, that neither the Senate nor the House of Representatives has expressed, directly, any opinion on the subject. But, on another Convention, having the same object, concluded with the Republic of Colombia, on the 10th day of December, 1824, which was formed after the model of that which is pending between the Governments of The United States and Great Britain, the Senate has expressed a very decided opinion. In the Colombian Convention, the Coasts of America were excepted from its operation, and yet, notwithstanding this conciliating feature, the Senate, after full deliberation, in the exercise of its proper Constitutional powers, has by a large majority, deemed it inexpedient to consent to, and advise, the ratification of this Convention.

The Government of His Britannic Majesty is well acquainted with the provision of the Constitution of The United States, by which the Senate is a component part of the Treaty-making power: and that the consent and advice of that branch of Congress are indispensable in the

formation of all Treaties. According to the practice of this Government, the Senate is not ordinarily consulted in the initiatory state of a negotiation, but its consent and advice are only invoked, after a Treaty is concluded, under the direction of the President, and submitted to its consideration. Each of the two branches of the Treaty-making authority is independent of the other, whilst both are responsible to the States and to the People, the common sources of their respective powers.

It results from this organization, that, in the progress of the Government, instances may sometimes occur of a difference of opinion between the Senate and the Executive, as to the expediency of a projected Treaty, of which the rejection of the Colombian Convention affords an example. The People of The United States have justly considered that, if there be any inconveniences in this arrangement of their Executive powers, those inconveniences are more than counterbalanced, by the greater security of their interests, which is effected by the mutual checks which are thus interposed. But it is not believed that there are any inconveniences to Foreign Powers, of which they can, with propriety, complain. To give validity to any Treaty, the consent of the Contracting Parties is necessary. As to the mode by which that consent shall be expressed, it must necessarily depend with each upon its own peculiar Constitutional arrangement. All that can rightly be demanded in treating, is to know the contingencies, on the happening of which that consent is to be regarded as sufficiently testified. This information, the Government of The United States has always communicated to the Foreign Powers with which it treats, and to none more fully than to the United Kingdom of Great Britain and Ireland. Nor can it be admitted, that any just cause of complaint can arise out of the rejection by one Party, of a Treaty, which the other has previously ratified. When such a case occurs, it only proves that the consent of both, according to the Constitutional precautions which have been provided for manifesting that consent, is wanting to make the Treaty valid. One must necessarily precede the other in the act of Ratification; and if, after a Treaty is ratified by one Party, a Ratification of it be withheld by the other, it merely shows that one is, and the other is not, willing to come under the obligations of the proposed Treaty.

I am instructed by the President to accompany these frank and friendly explanations by the expression of his sincere regret that, from the views which are entertained by the Senate of The United States, it would seem to be unnecessary and inexpedient any longer to continue the Negotiation respecting the Slave Convention, with any hope that it can be made to assume a form satisfactory to both Parties. The Government of His Britannic Majesty insists, as an indispensable condition, that the regulated Right of Search proposed in the Convention, should be extended to the American Coasts, as well



as to those of Africa and the West Indies. The Senate, even with the omission of America, thinks it unadvisable to ratify the Colombian Convention. And it is, therefore, clearly to be inferred, that a Convention with His Britannic Majesty, with a similar omission, would not receive the approbation of the Senate. The decision of the Senate shews that it has made up its deliberate judgment, without any regard to the relative state of the Military or Commercial Marine, for all the considerations belonging to a view of that subject would have urged the Senate to an acceptance of the Colombian Convention. It is hoped, therefore, that His Britannic Majesty cannot fail to perceive that the Senate has been guided by no unfriendly feeling towards Great Britain.

Before closing this Note, I must express my regret that I am unable to concur with you in the view which you have been pleased to present, of the Act of the British Parliament, by which it has denounced, as piratical, the Slave Trade, when exercised by British Subjects. It is acknowledged that the Government of The United States considered such a denunciation as expedient, preliminary to the conclusion of the projected Convention. But the British Parliament, doubtless upon its own sense of the enormity of the offence, deemed it proper to affix to it the character and the penalties of Piracy. However much it may be supposed to have been actuated by an accommodating spirit towards The United States, it can hardly be imagined that it would have given that denomination to the fact of trading in Slaves, from motives of concession merely, contrary to its own estimate of the moral character of that act. The Executive of The United States believed that it might conduce to the success of the Negotiation, if the British Parliament would previously declare, as The United States had done, the Slave Trade to be piratical. But it did not follow, from the passage of that Act, that any Treaty in which the Negotiation might terminate, was to be taken out of the ordinary rule by which all Treaties are finally submitted to the scrutiny and sanction of the respective Governments. No peculiar advantage has accrued to The United States from the enactment of that British Law. Its continued existence, moreover, now depends upon the pleasure of the British Parliament.

But there is no disposition to dwell longer on this subject. The true character of the whole Negotiation cannot be misconceived. Great Britain and The United States have had in view a common end of great humanity, entitled to their highest and best exertions. With respect to the desire of attaining that end, there is no difference of opinion between the Government of His Britannic Majesty and that of The United States, in any of its branches. But the Senate has thought that the proposed Convention was an instrument not adapted to the accomplishment of that end, or that it was otherwise objectionable. And without the concurrence of the Senate, the Convention cannot



receive the Constitutional sanction of The United States. Without indulging, therefore, unavailing regrets, it is the anxious hope of the President, that the Government of His Britannic Majesty should see in all that has occurred, nothing towards it unfriendly on the part of that of The United States, and nothing that ought to slacken their separate or united exertions, in the employment of all other practical modes to effectuate the great object, so dear to both, of an entire extirpation of a traffic which is condemned by reason, religion, and humanity.

I pray you, Sir, to accept, &c.

Henry U. Addington, Esq.

H. CLAY.

*H. U. Addington, Esq. to The Hon. H. Clay.*

SIR,

*Washington, 9th April, 1825.*

I HAVE the honour to acknowledge the receipt of your Letter of the 6th instant, in which you announce to me the definitive decision of the President, with regard to the Convention for the more effectual Suppression of the Slave Trade, which I had the honour to submit for the acceptance of this Government, on the 6th of November last.

In expressing my regret at the failure of the benevolent efforts which have been employed in a cause so dear to humanity, I may venture to assure you that, however deeply His Majesty's Government may deplore the present disappointment of their hopes, they will consider the unfortunate issue of this business as in no wise affecting the friendly feelings which exist between the two Governments, and will accept, with pleasure, the expression of the President's desire, that every exertion should still be used for effecting the entire extirpation of that odious traffic, which the Convention was designed to suppress.

I cannot dismiss this subject without a brief observation on that part of your Letter, in which you animalvert upon the argument employed in mine of the 6th of November last, relative to the Act passed by the British Parliament, for denouncing the Slave Trade as Piracy. The expressions used by you would lead to a belief, that I had represented the passage of the Act, on the part of Great Britain, as rendering it *imperative* on the American Government to accede to the Convention, even at the expense of a sacrifice of their Constitutional prerogatives.

A reference to the expressions of my Letter will, I apprehend, at once demonstrate the erroneousness of this impression, by shewing that I put the case as a point of conscience, not one of right, and that I urged the argument, above alluded to, in the form of an appeal, not of a demand.

The denunciation of the Slave Trade as Piracy, by British Statute, was made, by this Government, a *sine qua non* to the signature of the Convention. As far as Great Britain was concerned, that proceeding,

although perfectly conformable to the views of Parliament, *quo ad* morality, was one of pure supererogation, and conferred no power towards the suppression of the Slave Trade, not possessed before. Had the Government of The United States not expressly desired the enactment of that Statute, it would never have been passed, but, being passed, its revocation, although certainly within the competence of Parliament, is now, by the interposition of subsequent events, rendered tantamount to morally impracticable.

These circumstances will, I apprehend, amply justify, both the form of the argument which I built upon them, and the warmth with which I urged it.

I offer the preceding remarks, not by any means with a view to invite to further discussion, but simply in order to obviate all misconstruction of the meaning of words already employed by me.

I have the honour, &c.

H. U. ADDINGTON.

*The Hon. Henry Clay, Secretary of State.*

**MESSAGE of the Government of Buenos Ayres, on the Installation of the General Congress of the Provinces of La Plata.—(Translation.)**

GENTLEMEN,

*Buenos Ayres, December 16, 1824.*

IT has been the happy lot of the Province of Buenos Ayres to receive you as its Guests; this circumstance gives its Government an opportunity of congratulating the National Representative Body of the Provinces of La Plata on the day of its Installation. The People hope that this day will be for ever a festival for them and their posterity. The realization of such hopes on the part of the People depends henceforward upon you. If the remembrance of past calamities, and the idea, perhaps exaggerated, of the present difficulties, alarm you, on commencing the arduous task of reorganizing the Nation, you will very soon learn that prudence can give additional value to the treasures of past experience, which will acquire force with the invincible power of time. Time, the ancient friend of truth, seems to have renovated his wings and strength, for the great struggle in which we are labouring for the human race against its oppressors. Let truth appear, and, those who tyrannize, in the name of Heaven, or in the name of the People, will be discovered. The moment they are so, liberty triumphs, and a compact of the National Union is formed. This will remain unalterable, or will only change, if public opinion demands it, without affecting the friendship of Nations, or being accompanied by war and desolation; because reason is sufficient for every one, when men enjoy in society the right of examining the truth, and liberty of opinion.

The Province of Buenos Ayres has happily experienced this truth

during the long separation of the Provinces. Without its aid it would not have seen the difficult task which it had undertaken, of accelerating the meeting of the National Body, this day realized, nor would its Government have been able to maintain, in the interim, such relations with Foreign Countries, in the name of the rest of the Provinces, as were indispensable to shield them from the attacks which their enemies unceasingly direct against them, and to prevent their friends from being discouraged by an idea of their complete dissolution.

Those honourable functions it this day closes, by placing in your hands, as it now does, a collection of the Documents relating to the affairs of general interest, in which it has acted since the year 1820. These will fully explain to you, the principles it has adopted to forward the national reorganization, its conduct with respect to the Independent States of the American Continent, and the actual state of its relations with the European Powers.

With regard to the former, it has acted upon the conviction that it is impossible to form a solid Government which is not entirely National, inasmuch as general interests can alone serve as a bond of Union between the Provinces. Governments founded on delusive ideas may have existed in barbarous Ages, and may yet exist, and perhaps be found expedient amongst civilized communities, where, gradually consolidated personal interests, have in time become, as it were, National; but, at this moment, to create a new Government upon such bases in these Provinces, is fortunately as impossible as it is for the history of many Ages to pass away in the course of a single day.

Public opinion is so decided upon this point, that error cannot be apprehended, unless in the arrangement of general interests. No example will induce us to prefer, as a better mode of Government, the false power arising from special privileges, to that real superiority which proceeds from personal merit. But it may happen that privileges and legal prohibitions, may be considered as productive means of riches and national prosperity. This unfortunate error would banish from our Territory the free competition of human industry, which reaches us from all parts of the world.

Without doubt, you will be aware how much it behoves you to dissipate, with a strong hand, all illusions upon this important subject. You, who, without being restrained as the ancient Nations are, by any thing which may prevent your taking full advantage of the improvements in social knowledge, should feel yourselves urged on to apply to this virgin soil the most powerful means which are known of peopling and enriching it; you are also fortunately enabled to establish a Law which will one day be registered in the Code of Nations. In addition to personal security, liberty of conscience, inviolability of property, and equality of rights, it opens the free competition of human industry within the Territory of the United Provinces. Such a



Law will establish the rights of civilized man. It will strengthen the vital principle of Union between the Provinces; it will speedily destroy the seeds of any jealousies, or local dissensions, which may agitate them, and, finally, prevent the necessity for Treaties of Commerce, which, the offspring of ignorance, as they are, have been the cause of sanguinary wars, useless even to the conquerors.

The Government of Buenos Ayres, Gentlemen, has at least a right to hope that you will not disapprove of the policy it has, in consequence of these opinions, pursued, in order to nationalize the Provinces of the ancient Union. The Laws which have been dictated in this spirit, for the consolidation of the general Debt, and the creation of public credit,—the projects which have arisen under its protection, for assisting industrious undertakings in the Provinces;—all have produced salutary effects, encouraged greater hopes, and present a basis of union which the public opinion has been seeking for with anxiety.

The examination of the Official Correspondence now before you, will shew with what care the Government of Buenos Ayres has turned its attention towards maintaining a good understanding and a closer friendship with those Nations of this Continent who are contending in the common cause. A just reciprocity, and motives of high national interest, required that a Minister Plenipotentiary should be sent to the Republic of Colombia. The situation of Peru, since its late misfortunes, made it necessary to appoint another Minister to that Government; it now becomes requisite that these Ministers should receive fresh Credentials from the General Government of the United Provinces.

We have fulfilled a great national duty towards the Republic of The United States of North America. That Republic, which, from its origin, presides over the civilization of the New World, has solemnly acknowledged our Independence. It has, at the same time, made an appeal to our national honour, by supposing us capable of contending single-handed with Spain; but it has constituted itself guardian of the field of battle, in order to prevent any Foreign assistance from being introduced to the aid of our Rival.

The neighbouring Empire of Brazil presents a contrast to this noble Republic, and is a deplorable exception to the general Policy of the Nations of America. The Province of Monte Video, separated from the others by ignoble artifices, and retained by force of arms, is a scandal, rendered still more odious by the appearance of legality under which the usurpation is concealed. The Government of the Province of Buenos Ayres has tried reasonable measures with the Court of Rio de Janeiro, and although its efforts have proved ineffectual, it does not altogether despair. Perhaps the counsel of powerful friends will be listened to, and will remove from the Coasts of America the dreadful necessity of a War.

The vacillation of some of the great Powers of the Continent of



Europe, and the malevolence which others evince towards the new Republics of this part of the world, proceed from the constrained position in which they are placed, by a policy inconsistent with the true state of things. Kings can possess no force or power but by those means which perfect social order affords. They are well aware of the extent, and advantage of those means; but, alarmed by the movements they perceive around their thrones, they are endeavouring to recover their former passive state, and to confine the fruitful activity of human reason. They would wish that truth and error could be blended, in order to strengthen their authority. From hence has arisen that inexplicable dogma of legitimacy which now disturbs the Nations of ancient Europe, and for the propagation of which the *Holy Alliance* has been formed. It is, indeed, a matter of difficulty, for this Alliance to acknowledge, as legitimate, Governments whose origin is not obscure, and whose authority is not supported by miracles, but merely by the simple and natural rights of the People. Nevertheless, it is not to be feared that the Soldiers of the Holy Alliance would come over to this side of the Ocean, to re-establish the odious legitimacy of the Catholic King.

Great Britain, unfettered by the engagements of the Allies, has adopted, with respect to the States of America, a noble conduct, truly worthy of the most civilized, the most free, and, therefore, the most powerful, Nation of Europe. The solemn recognition of the Independence of the new Republics, will be the result of those principles which she has proclaimed; and you may be assured, Gentlemen, that this important event, so far as regards the Provinces of Rio de la Plata, depends principally upon their appearing as a National Body, and capable of maintaining the excellent Institutions they already possess.

The Catholic King has annulled the Preliminary Convention which His Commissioners had concluded with the Government of this Province, and, through its intervention, with the other Provinces of the Union, on the 4th of July of last year. He has declared, that the language used, as the King of a free People, is not, nor cannot be his own. His absolute authority is the curse of Spain; and the name of Ferdinand now only passes over to this Country, to serve the interests of a few Military Chiefs, who carry on the War on their own account, in the interior Provinces of Peru, like the first Adventurers who conquered it.

Had it not been for the unfortunate dissensions which have divided the Provinces of Rio de la Plata, this War would have been at an end. Too long has it compromised the honour of the Allied Republics of the Continent; every thing now, however, announces that the hour is approaching when it will terminate. Already the illustrious Liberator of Colombia advances victoriously towards the very centre of the Power of the Oppressors of Peru. The Republic of Chile has set its Naval Forces in motion to close the Pacific against them; and the Government of this Province, uniting its efforts to those of Salta, is preparing

elements which will serve as a basis to the National Power for a more extended plan of operations.

Such, Gentlemen, is the situation of our affairs in general at this moment: their auspices are favourable. If they be realized, the approaching year will see the termination of War, and the commencement of the national existence of the Provinces of Rio de la Plata.

JUAN GREGORIO DE LAS HERAS.  
MANUEL JOSE GARCIA.

**FUNDAMENTAL LAW of Union, of the Provinces of the Rio de la Plata.**

(Translation.)

Buenos Ayres, 23d January, 1825.

I. THE Provinces of Rio de la Plata assembled in Congress, renew, by means of their Deputies, and in the most solemn manner, that Compact by which they have been bound since the moment at which, throwing off the yoke of the ancient domination of Spain, they constituted themselves an independent Nation; and they renew the declaration, that they will employ all their Forces, and all their Resources, in order to strengthen their National Independence, and whatever may contribute to the general felicity.

II. The General Congress of the Provinces of the Rio de la Plata declares itself constituent.

III. For the present, and until the promulgation of the Constitution, which is to recognize the State, the internal affairs of the Provinces shall be regulated by their own Institutions.

IV. All that relates to the independence, integrity, security, defence, and prosperity of the Nation, belongs especially to the General Congress.

V. The Congress shall establish, from time to time, such Regulations as may become indispensable, with respect to the objects mentioned in the preceding Article.

VI. The Constitution, which the Congress may sanction, shall be duly offered to the consideration of the Provinces, and shall not be promulgated, nor established in them, till it shall have been accepted.

VII. For the present, and until the Election of an Executive Power, the same shall be administered by the Government of Buenos Ayres, with the following attributes:

1. To transact all business relating to Foreign Affairs, the nomination and reception of Ministers, and the direction of those already appointed.

2. To conclude Treaties; which shall not, however, be ratified, without previously obtaining the special authority of the Congress.

3. To execute, and to communicate to the other Governments, all such Resolutions as the Congress shall pass, with respect to the objects mentioned in the 4th Article.

4. To submit for the consideration of the Congress, such Measures

as they may consider expedient for the better despatch of the Affairs of the State.

This Law shall be communicated to the Governments of all the Provinces.

MANUEL ANTONIO CASTRO, *President.*

ALEJO VILLEGAS, *Secretary.*

*MESSAGE of the Provincial Government of Buenos Ayres,  
on the Opening of the 5th Legislative Assembly.—  
(Translation.)*

GENTLEMEN,

*Buenos Ayres, 19th May, 1825.*

GREAT events have taken place during the period of your recess. On your meeting again, according to Law and custom, the hopes which you anxiously entertained last year have been realized.

The liberating army of Peru has annihilated the remains of the Spanish Power in the heart of the Andes, and has dissipated all its illusions. The Independence of the American Continent is the result. The Act by which Great Britain has recognized it, is another remarkable event, establishing as it does the triumph of those principles which constitute the legitimacy of our rights, in opposition to the proud alliances of the old European Aristocracy; finally, the Provinces of the River Plata have assembled in a National Body.

The General Congress, being perfectly acquainted with the respective situation of each Province, has commenced a dignified career, by sanctioning the Fundamental Law, which will be presented to you forthwith. You will perceive in it, Gentlemen, the same spirit which guided your Councils in passing the Law of the 13th November, 1824. Experience daily proves that it is the best suited to guaranty our Union, which ought not to be confirmed unless anticipated by the Laws.

The Government has defrayed, from the Provincial Treasury, all the expenses of the National defence and organization, in the manner which will be submitted to you. It hopes in this respect to merit your approbation, as it has acted in conformity with your declared sentiments. It would, however, have been gratifying to the Government, had it been able to dispense with the necessity of accepting the provisional charge of the National Executive Power; in order to avoid the risk of nourishing prejudices, which time, and progressive civilization only, can eradicate. The National Congress will, no doubt, hasten to obviate this pretext for inquietude: and this Province will then have no other part to perform, than to afford a salutary example of generous devotion to the National Cause, and of constant attention to the improvement of its Institutions. These already attract People and Capital from all Parts. The increasing prosperity of our Commerce, the activity of our Industry, and the general welfare of the labouring Classes, will daily render the principles of our Government more dear to us. It is to be hoped that these principles will extend, even to



the lower orders of Society, that just sense, or rather instinct, of liberty and order, which destroys and baffles the machinations of the ambitious. The ignorance of the people has, at all times, constituted the principal resource of such persons. To obviate this, you decreed the establishment, in the City and Country, of a considerable number of primary Schools. This has been done; and the condition and progress of those who were entrusted to the care of the Benevolent Society, have fulfilled all our hopes, and will serve as a model and a stimulus to the rest. The Colleges have been improved this year. Every exertion has been made to suppress the spirit of insubordination; a consequence of bad example and neglect, during a long period of revolution and disorder. Youths, unaccustomed to lessons of obedience, would form Men incapable of being free, and neither fit to govern, nor to be governed, except by terror and force. The University requires to be so constituted as to guaranty, that the sacrifices made to promote classical instruction, should not be unavailing. This work is about to be completed.

The frequency of crime, and especially that of cattle stealing in the Country, has demonstrated the inefficacy of the existing Laws, and the inconvenience arising from the present mode of legal Process. The Project of a Law will be immediately submitted to you, to prevent these inconveniences, which it is impossible to permit any longer to exist in the Country. A Committee is at present engaged in drawing up a Commercial Code, and their labours will be presented to you during this Session. In order to ensure the security of landed property, it has been deemed necessary to ascertain the exact boundaries of each estate, and thus, to remove the uncertainty in which they have been constantly involved, and which the means of science alone can remove with precision, in a Country as level as the sea. The Topographical Commission being organized, and supplied with every thing necessary, have already commenced their labours, and will shortly set up such general land-marks as will serve as points for future operations, and for the drawing up of a map, from which every one may ascertain, distinctly, the limits of his own Possessions.

The Public works, ordered to be carried on in the City, are improving and perfecting.—The Government considers that a Church and a School in each Village would be the most proper monuments to be erected by the Province in commemoration of its liberty. This Plan is already in a course of execution, and you will not refuse to vote an annual Sum for the promotion of so worthy an object. Civil and religious education will thus form the manners of a free People, will render the perpetration of crime less frequent, and the constant employment of force, for the preservation of the peace, and the support of public tranquillity, less necessary. You approved of a plan last year for erecting places of confinement, gradually, throughout the Country, to facilitate the administration of Justice, and to obviate the



inhuman practices which necessity had introduced, for the safe-custody of Persons accused. These works have been commenced this year, as well as the building of suitable Courts in each District, where justice may be administered without the inconveniences resulting from the frequent removals of the residence of the Justices of the Peace.

The sacrifices made for the organization and recruiting of the Provincial Army have not been fruitless. It has improved both in numbers and discipline. The veteran Troops, stationed along the Frontiers, have fulfilled their duty satisfactorily. Prudence, however, requires not only that this force should be completed, but even increased. The Committee appointed to reform the Military Penal Code, adapting it to our Institutions and necessities, will shortly submit their labours to your deliberation.

The Revenue of the Province has been much more productive in this than it was in the preceding year, having been sufficient to meet all the expenses both of the ordinary and extraordinary service. The proceeds of the Loan, which was raised in London, have been remitted hither advantageously, and without causing any alteration in the exchange. The Government expects that the works of the Port, for which the Loan was especially intended, will be undertaken by private Companies, with their own Capital; enabling it, consequently, to apply the money to other objects; in the mean time it is advantageously employed in promoting our industry. All the Papers concerning these transactions will be, at the proper time, submitted to your consideration. The Machines, and the necessary implements for coining, are already prepared, and a contract has been entered into to erect the Mint establishment in the course of the ensuing year. The Minister of Finance will lay before you the Accounts of last year, and the estimates of expenses for the ordinary service of the next.

GENTLEMEN,

The Government congratulates you upon reassuming your labours under such favourable auspices. It stands in great need of your co-operation: in the infancy of your national existence, and after so protracted a struggle, Peace itself has its dangers, and requires great sacrifices.

The spirit of anarchy, disguised in a thousand ways, may corrupt our Institutions; and the Sons of Aristocracy, born during the Revolution, will seek every opportunity of throwing discredit on them. Our position in this great epoch, must render the examples which you set in the discharge of your duties of the greatest importance. It is necessary to prove, that liberal Institutions are not only the best adapted to make Nations happy and prosperous, but also to elevate their feelings, and to inspire them with a firm and irresistible energy, when necessary, in support of their national honour.

JUAN GREGORIO DE LAS HERAS.  
MANUEL JOSÉ GARCIA.

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***SPEECH of The King of Bavaria, on the opening of the Assembly of the States.—Munich, March 2, 1825.***

*(Translation.)*

GENTLEMEN, SENATORS AND DEPUTIES,

Dear and faithful Representatives of the State,

In calling you thus before me, I give you a fresh guarantee of the promises which I have already made to you respecting the Constitutional Regulations.

The first sexennial period of the power of the States is passed.—We may venture to look back with satisfaction upon the success of the principles upon which it was founded.

The promises which I made when last I took leave of you are many of them fulfilled, and the rest will shortly be so.

Several proposals also, made during the last meeting of the States, which it was not then in my power to perform, have not failed to attract my attention.

Projects for new Laws, the formation of which has been carried forward with the utmost eagerness, have gained considerably in my opinion, in consequence of the advice of the Assembly; a few necessary alterations only will be made in them: many, indeed, are in a state of preparation, and will speedily be adopted. In cases, where the assistance of the Assembly is requisite, the proper information will be laid before you.

The composition and amelioration of the Laws will originate with Me, and be regulated by the opinion of the Assembly.

My Minister of Finance is charged to lay before you the Account of Payments and Debts, and to give you a clear Account of the Expenses of the State for the next sexennial period.

You must be aware of the difficulty which presents itself in these days, of keeping an equal balance in the Receipt and Expenditure of the State. This subject necessarily demands your particular attention.

The losses which my faithful Subjects must necessarily sustain, even during Peace, in consequence of their being deprived of so many sources of profit, is an object of the utmost anxiety to me.—Negotiations, for the purpose of facilitating Commerce, which the Assembly so much desired, have already commenced. My anxious wishes to promote the welfare of Bavaria have accelerated them; but as many causes combine to prevent our augmenting our Commerce to any great extent, it is our duty to turn our view towards the development of our internal resources.

The Institutions appropriated to Education deserve your peculiar attention, not only on account of the increased necessity for them, but also on account of the expence they necessarily occasion.

The ravages effected by the storms in several parishes and districts, have caused me great grief, but I have had the consolation of seeing that the Sufferers received assistance from their generous Fellow-

Citizens, on many occasions, where the Government could have been of no service to them. Thus, indeed, are my endeavours for the welfare of my People always supported. Where the difficulties are beyond our power, gracious Providence will assist us.

My heart impels me, in taking leave of you, to express to you my grateful sentiments for the manner in which my People celebrated the anniversary of the 25th year of my reign, and for those expressions of attachment and fidelity to my whole Family, which, while they sensibly touch my heart, proved their acknowledgment of the sincerity with which my efforts have been devoted to their welfare. But a few days since expired the 26th year of my reign. May future years shower blessings and prosperity upon my People, and may my endeavours and your co-operation in them produce to us a glorious result.

***DECREE of the Congress of Colombia, relative to the Naturalization of Foreign Mariners.—(Translation.)***

The Senate and House of Representatives of the Republic of Colombia, assembled in Congress, considering: 1st. The necessity under which the Republic is placed, of encouraging its Marine for its defence, and for the prosperity of Commerce. 2nd. That the Individual who enlists in the Service of the National Marine, is entitled to the considerations specified in Article 184 of the Constitution;—decree,

Art. I.—The Foreigner who has served, or shall serve, for the term of six months, in any National Vessel, either of war or commerce, shall obtain a Letter of Naturalization.

The Subjects or Natives of the Nation which is at War with the Republic, cannot be admitted into the service of National Vessels, either of War or Commerce.

II.—The Commandant of Marine of the Department shall request from the Executive Power, the Letters of Naturalization for the Individuals described in the preceding Article; who shall take the oath, prescribed in the 13th Article of the Law of the 4th of July, 1823, before the Governor of the Province, or before the Civil Authority, to whom the former may entrust the affair.

Bogota, April 30, 1825.

Let it be executed, &c.

F. DE PAULA SANTANDER.

***BASES of the Federal Constitution of The United Provinces of Central America.***

(Translation.)

Guatemala, December 17, 1823.

THE Supreme Executive Power of the United Provinces of the Centre of America:

The National Constituent Assembly of the said Provinces has decreed as follows:

The National Constituent Assembly, in order to give to the People an idea of the system of Government which it has adopted, and of the constitutive principles which it begins to develop in the creation of a new social order, the most analogous to the intelligence of the Age, and to the desires and actual disposition of the United Provinces of the Centre of America,—decrees the following :

#### BASES OF A FEDERAL CONSTITUTION.

Art. I. The Constitution is designed to secure the happiness of the People, preserving to them the greatest possible enjoyment of their rights; it establishes the National Independence and Sovereignty; determines, with exactness, the division of the three Powers; and ensures the rights of Man and of the Citizen, upon the eternal principles of liberty, equality, security and property.

II. The form of Government of the United Provinces of the Centre of America, is, “Republican, Representative, and Federal.”

III. The denomination of these Provinces shall be in future, “The Federal States of the Centre of America.”

IV. Their religion, the Catholic, Apostolic and Roman; to the exclusion of the public exercise of any other.

#### LEGISLATIVE POWER.

V. The Legislative Power of the Federation shall reside in a Federal Congress, composed of Representatives popularly elected, in the proportion of one for every thirty thousand Inhabitants. The moiety shall be renewed every year, and the same Representatives may be re-elected once, without any interval.

VI. It belongs to the Congress:—1st. To make the Laws which sustain the Federation, and those in whose general uniformity each of the States has a direct and obvious interest. 2nd. To form the general Ordinance of the National Forces. 3rd. To raise and maintain Armies. 4th. To fix the expences of the general Administration, and assign for it the amount appertaining to each State, according to its population and wealth. 5th. To direct education. 6th. To declare War and make Peace. 7th. To regulate Commerce. 8th. To regulate the coin, weights and measures.

#### OF THE SENATE.

VII. There shall be a Senate, to be composed of two Members from each of the States, popularly elected. It shall annually be renewed by thirds, and its Members may be re-elected once, without any interval.

VIII. Attributes of the Senate:—1st. It shall have the sanctioning of the Laws, in the form that may be pointed out by the Constitution. 2nd. It shall be the Council of the Executive Power, in all weighty and difficult cases, in which the latter ought to consult it. 3rd. It shall propose to the Executive Power for appointment, the



**principal Functionaries of the Federation.** 4th. It shall watch over the conduct of the latter: and shall declare when there is cause for prosecution, in respect to Ambassadors and other Ministers, Secretaries of State and other Officers, appointed by the Constitution. 5th. It shall mediate in the controversies designated by Article 18, in the 3rd Attribute of the Supreme Court, and it shall nominate the Individuals of the Tribunal established by Article 21.

#### EXECUTIVE POWER.

**IX.** The Executive Power shall be exercised by a President, appointed by the People of all the Federal States, in the form regulated by the Constitution.

**X.** Attributes of the Executive Power:—1st. It shall publish the Laws, and provide for their observance, and for public order. 2nd. It shall commence Negotiations and Treaties with Foreign Powers, with the advice of the Senate. 3rd. It shall direct the armed Force of the Federation. 4th. It shall nominate all the Functionaries of the Federation, proposed in ternary by the Senate; and their subalterns, under similar propositions, by their respective Chiefs.

**XI.** In the absence of the President, his place shall be supplied by a Vice-President, who shall be elected by the People in the same manner as the President.

**XII.** The Vice-President shall preside in the Senate, and shall only vote when the suffrages are equally divided.

**XIII.** In his absence, the Senate shall appoint a President from among its Members.

**XIV.** The Vice-President shall retire from the Senate, while it is nominating the Members of the Tribunal established by Art. 21.

**XV.** The term of the appointments of President and Vice-President shall be for four years; but they can be re-elected once, without any interval.

**XVI.** They shall be responsible to the Nation for the exercise of their high Office, in the manner determined by the Laws.

#### JUDICIAL POWER.

**XVII.** There shall be a Supreme Court of Justice, composed of Individuals elected by the People, who shall be renewed by thirds every two years, and may be re-elected once, without any interval.

**XVIII.** Attributes of the Supreme Court of Justice:—1st. It shall take cognizance in the last instance, with the limitations and regulations which the Congress may make, in all cases emanating from the Constitution: of the general Laws; of the Treaties made by the Republic; of Maritime Jurisdiction; and of competency upon Jurisdiction in controversies between Citizens of different States, 2nd. It shall decide on prosecutions against the President, Vice-President, Senators, Ambassadors, and other Ministers, Secretaries of State, and other Officers, when the Senate declares that there is cause for

prosecution. 3rd. In cases of contention, in which the whole Republic may be a Party; one or more States with any other or others, or with Citizens or Foreigners; the Supreme Court of Justice shall cause Arbitrators to be named in the first instance; it shall itself take cognizance of it in the second instance; and the sentence which it may give shall be submitted to the revisal of the Senate, in case the Parties do not conform to the first and second decision.

XIX. In accusations against the President, and Vice-President, if he have supplied the place of the former, the Congress shall declare when there are grounds of prosecution; the Supreme Court shall judge; and the Tribunal established by Art. 21 shall take cognizance of appeal.

XX. In accusations against the Senators and Vice-President, the Congress shall declare when there are grounds of prosecution, and the Supreme Court shall judge.

XXI. In accusations against Individuals of the Supreme Court, the Congress shall declare when there are grounds of prosecution, and a Tribunal shall judge, named previously by the Senate, and composed of supplementary Senators or Representatives, who have not entered upon the exercise of their functions.

XXII. In accusations against Individuals of the Congress itself, it shall declare when there are grounds of prosecution, which shall be carried on and determined by itself, according as its regulations may prescribe.

XXIII. Sentences against all these Functionaries shall be entirely limited to their being deposed and disabled for every public or honourable situation, if the case deserve it; and in every other respect they shall be subject to ordinary trial.

XXIV. The trial by jury, and likewise the Tribunals of appeal, shall be established in the cases and manner which the Constitution may determine.

XXV. Every Citizen, without distinction, shall be subject to the same order of prosecution and judgment.

#### LEGISLATIVE POWER OF EACH OF THE FEDERAL STATES.

XXVI. The Legislative Power of each State resides in a Congress of Representatives, elected by the People, whose number cannot be less than eleven, nor more than twenty-one.

XXVII. The Constitutional Law shall make the suitable division of the States, and shall determine for the first and only time, the bases and rule of their representation.

XXVIII. It belongs to the first Legislatures:—1st. To form the peculiar Constitution of the State, agreeably to the Fundamental Law of the Federal Constitution. And it belongs to each:—2nd. To enact its Laws, Ordinances, and Regulations. 3rd. To determine the expence of its administration, and decree imposts of all descriptions, necessary

to the liquidation of the former, and the quota which belongs to it in the general expences; but without the consent of the Federal Congress it cannot impose duties on Foreign Commerce, nor on that of the States. 4th. To fix periodically the regular Army, if it be required in time of Peace, with the concurrence of the Federal Congress; to create the civic guard, and raise its quota in time of War. 5th. To form the Establishments, Corporations or Tribunals which it may consider expedient for the better regulation of justice, economy, public instruction and other branches of Administration.

XXIX. Competent Citizens of one State may be elected Representatives and Counsellors of another.

XXX. In case of any State or Constitutional Authority denouncing another, on account of its Legislature having infringed the Constitutional limits, the Senate shall make the necessary enquiries, and shall transmit them to two of the most contiguous States for their determination: if they do not mutually agree, or the Legislature denounced does not submit to their decision, the matter shall be transferred to the Federal Congress, and its decision shall be final.

#### REPRESENTATIVE COUNCIL OF EACH OF THE STATES.

XXXI. There shall be a Council composed of one Representative for each two Partidos (or Districts,) elected by their respective inhabitants.

XXXII. Attributes of the Representative Council: 1st. It shall sanction the Laws. 2nd. It shall advise the Executive Power, when consulted. 3rd. It shall propose the principal functionaries to the Executive for nomination. 4th. It shall watch over the conduct of those Functionaries, and declare when there are grounds of prosecution.

#### EXECUTIVE POWER OF EACH OF THE STATES.

XXXIII. The Executive Power resides in a Chief, appointed by the inhabitants of the State.

XXXIV. It is his duty: 1st To execute the Laws, and watch over public order. 2nd. To nominate the Functionaries of the State, proposed in threes by the Council; and the Subordinate Authorities, from a similar proposition by their Chiefs. 3rd. To dispose of the armed force of the State, and make use of it in its defence, in case of sudden Invasion, giving immediate intelligence thereof to the Legislature of the State, in order that the latter may transmit the same to the Federal Congress.

XXXV. In the absence of the Chief of the State, his place shall be supplied by a second Chief, to be named likewise by the Inhabitants.

XXXVI. He shall be President of the Council, and shall only vote in case of the suffrages being equal.

XXXVII. In case of his absence, the Council shall elect a President from amongst its own Members.

**XXXVIII.** The second Chief shall not assist at the Council, in the same cases in which the Vice-President of the Republic must be absent from the Senate.

**XXXIX.** The Chief and second Chief of the State shall remain in their Offices four years, and may be re-elected once without interval.

**XI.** They shall be responsible to the State for the faithful discharge of their duties.

#### **JUDICIAL POWER OF EACH OF THE STATES.**

**XLI.** A superior Court of justice shall be formed, composed of Judges popularly elected, who shall be renewed periodically.

**XLII.** It shall be the highest Tribunal of appeal.

**XLIII.** The responsibility of the individuals of the Legislative and Executive Powers, of the Representative Council, and of the Superior Court, shall be enforced in the same order and dependence as are directed in respect of the Supreme Federal Authorities.

#### **GENERAL DISPOSITIONS.**

**XLIV.** Neither the Federal Congress nor the State can : 1st. restrict, in any case, or under any pretext, the freedom of opinion, of speech, of writing, or of printing. 2nd. suspend the right of petitioning by word or writing. 3rd. establish entails, give titles of nobility, or decorations or hereditary distinctions ; or consent that Citizens should receive those which may be offered to them by other Nations. 4th. permit the use of torture or compulsion, impose confiscation of property, whipping or cruel punishments ; or pronounce infamy to descendants. 5th. grant exclusive privileges to commercial Companies or manufacturing Corporations, for any period, or limit commerce, industry or agriculture, except in cases provided for by the Constitution.

**XLV.** Nor can they, except in case of tumult, rebellion or attack by an armed force on the Constituted Authorities : 1st. disarm any District, or Citizens, except when they are charged with having used their arms against the Laws. 2nd. prevent popular Assemblies, having for their object, lawful recreation, the discussion of politics, or the examination of the conduct of Public Functionaries. 3rd. dispense with the sacred formalities of the Law, in order forcibly to enter the house of any Citizen, to examine his private correspondence, or to imprison him. 4th. form Special Committees or Tribunals, to take cognizance of determined criminals, or of any class of Citizens ; nor enact Laws of proscription or retrospection.

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The Supreme Executive Power, on circulating this Decree, shall order the Political Chiefs, provincial deputations and municipalities, and invite the scientific establishments, literary bodies and all Citizens, to make their observations ; proposing the modifications or reforms which, in their opinion, these Constitutional Bases are suscep-



tible of; and shall direct that they do transmit them, within the space of three months, to the Office of the Minister of State, who will remit them to the Secretary of the Assembly, in order that the Committee which forms the Projet of the Constitution may examine them, as also the Assembly itself, at the time of discussion, so that the Fundamental Law to be enacted, may be the most expedient and conformable to the general will of the People.

Let it be communicated to the Supreme Executive Power for its fulfilment, and be printed, published and circulated.

Given in Guatemala this 17th of December 1823.

JOSE DOMINGO ESTRADA,	Deputy President.
JUAN HERNANDEZ,	Deputy Secretary.
MANUEL BARBARENA,	Deputy Secretary.

*The Supreme Executive Power.*

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In virtue whereof we order that it be obeyed, fulfilled and executed in all its parts.

The Secretary of State shall make it known, and cause it to be printed, published and circulated.

National Palace of Guatemala, 27th December, 1823.

JOSE SANTIAGO MILLA, President.  
TOMAS O'HORAN.  
JUAN VICENTE VILLACORTA.

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***MANIFESTO of the Supreme Executive Government of Mexico, on the transfer of its Functions to a President.—Mexico, 5th October, 1824. (Translation.)***

THE SUPREME EXECUTIVE POWER TO THE NATION.

THE Republic is about to be governed by a President; and before carrying into effect that memorable event, we wish to address ourselves to our Countrymen for the last time, and to render an account of the period of our Administration.

Looking back to the past, and fixing our view on the point from which we came, it will be immediately perceived that our situation has very sensibly improved. We will not be guilty of the folly of attributing to ourselves these changes and advantages: we have had good intentions; we have desired, most sincerely and ardently, the happiness of our Country; we have done all in our power to promote it; but the favourable position in which we find ourselves, ought to be ascribed principally to the good sense and indulgent character of the Nation,

and the integrity and wisdom of its Congress; and, in addition to these, there have been no inconsiderable number of occurrences and unforeseen events, which display in characters sufficiently legible, that He who regulates Society has especially favoured that of Anahuac.

We received into our arms an infant Republic, but in a state most truly deplorable; the Treasury exhausted, the paper money at a discount of seventy-five per cent.; credit at its lowest point; the means of relief remote and difficult, without economy or system in the administration of the public finances; the Army without clothing, unarmed, undisciplined, with the whole train of evils inseparable from such a state; our naval force deficient in every thing, in complete inactivity, rotting in Port before the cost of building them was paid. On the other hand, without any consideration in Europe, or intercourse or official relations with any of the Nations which compose it: without Treaties or Alliance with the Americans: in addition to this, with powerful and exasperated factions in the interior; conspiracies momentarily succeeding each other; authorities of the first rank, acting either equivocally or in opposition to the Government. The first Congress attacked by opinion, on account of the mode of convocation, some of the Provinces contemplating a movement, which was to be legal, uniform, and simultaneous: in some points, symptoms, well organized, of a dangerous dissolution of the bond of union: order at an end, most scandalously disregarded, even in the seat of the Supreme Executive itself; the Capital in the hands of a faction, and the Government seeking an asylum in the bosom of the Congress. Such, Countrymen, was the accumulation of ruins and frightful precipices, over which we have been traversing for a few months to the point at which we now find ourselves.

We must acknowledge and confess, that this detail is neither flattering nor satisfactory; but, to the honour of the Mexican People, to the confusion of the tyrants who assail us, and for the information of the Nations who, without prejudice or partiality, observe our progress—in what Country of the World has disorder existed, so little characterised by blood, and other disastrous events? In what Nation of the earth have there not been the most fatal consequences and results, produced by phenomena and changes, such as have been experienced by us in so short a space of time? Even on the memorable 24th, 25th, and 26th of January, of this year, which have been so much spoken of by our enemies in Europe to our discredit, did any blood flow? Was not the property of our Citizens respected? Is it not certain that even the ordinary irregularities of populous Cities disappeared on those nights? Let therefore the injustice and maledictions of those who, from the other side of the ocean, calumniate, because they cannot devour us, for ever cease.

But that which ought to check their malignity, and destroy all

hope of enchaining us again, is the consideration of our progress, and the view of the contrast which exists between that which we were eighteen months ago, and that which we now are. Our credit has decidedly recovered itself, the paper money is at par, and is nearly all redeemed, the civil debt is satisfied, part of the loan, which the Government had been authorized to contract, is completed, and the remainder has been contracted for on much more beneficial terms. With regard to what has been done for our defence, proper means have been taken to secure an adequate force, and our Veterans are now clothed and armed—discipline is re-established, and the excess of officers considerably reduced; at the same time our Artillery is already more than equal to our wants, and an efficient Militia is actually organizing itself; so that, within a short time, the Army of the Republic, already respectable from the number and excellence of its Troops, will be placed in a state, to enable us to live in complete security, without fearing attacks and insults from abroad. With respect to our infant Navy, the cost of the small Vessels which we already had, has been paid, and of those newly constructed, a part is in constant activity; their crews, management and regulations, are on the best footing; and according to the arrangements lately made by the Government, there is every reason to hope, that ere long the Mexican Flag will float, and cause itself to be respected, on the Shores of the Atlantic. On the other hand, the Territory and power of the Republic have been augmented by the accession of the hitherto named Province of Chiapa, which, having freely declared, and with extraordinary demonstrations of joy, in favour of our Federation, is now one of its States: and this happy and memorable event in the civil order of the Country, is still more important, considering the morality, the justice, the disinterestedness and dignity with which the negotiation has been conducted.

With respect to our relations with other Powers: Treaties of the first importance have been concluded with the warlike Republic of Colombia: That of The United States of North America, which has already recognized our Independence, has lately named a Minister to reside amongst us; and already its Consuls, in our Capital and Ports, are in the full exercise of their functions. A similar state of things exists with the Agents of the same Class of the King of Great Britain; and from the frank, benevolent, and friendly conduct of that Nation towards Mexico, we may entertain a well-founded hope, that in a short time the Independence of Anahuac will be recognised by the Government of a People who rule the Seas. On our part, we have sent a Minister with Full Powers to the Government of His Britannic Majesty, of whose arrival in London we have received intelligence; and according to the course of things, and the order in which events present themselves, it is to be hoped that the object of his Mission will be completely fulfilled. Our Mission to The United States of North Ame-

rica is already on its way to its destination. A Minister has been named to represent us in the Republic of Colombia: and another also to arrange our Affairs at Rome, in order to settle our ecclesiastical concerns; and one, with the same authority, will shortly be designated to The United States of the Centre of America, whose Independence has, within these few days, been recognised, and whose Envoy has formally presented his Credentials to the Executive Power. Here we should desire, for our own sake as well as for that of Spain itself, to be enabled to announce that Negotiations had been entered into with that Nation: there were, indeed, hopes of accomplishing this end, with the former Government; but Ferdinand VIIth, being restored to the exercise of absolute power, his Decrees relative to us, and his replies to a Power that wished to mediate in this affair, impede at present all means of conciliation, and only afford reason to expect a system of hostilities and bad treatment on his part, which we neither fear nor provoke.

To return to our internal affairs:—In the midst of the difficulties and dangers which surround the Executive Power, its principal object and attention has been directed to the installation of the existing Congress, which happily could be assembled: the Constituent Act was passed; and the Republic happily and tranquilly assumed the Federative Form; the tempestuous clouds, which shewed themselves towards the West and the South, disappeared; conspiracies have been opportunely discovered, and crushed at the moment of bursting forth; on the 19th of July the torch of civil War was extinguished and annihilated; the Constitution, destined to govern the Federal Union, has been concluded and solemnly sanctioned: all has at length assumed a favourable aspect, and the Republic is now in a condition to receive the impulse necessary to its progress towards its aggrandizement and elevation.

Such is our present position; and what more could be expected of a People in its infancy, and in a state of apprenticeship and inexperience? Have they done more who doubt our capability of governing ourselves? The vicissitudes, changes, and revolutions, from which, even the most powerful and best organized Governments are not exempted, may be expected to occur amongst us. But does not the basis of benevolence and circumspection, the fund of discretion and good feeling, the force of privileged instinct, with which the Nation is saving and forming itself, afford a sufficient guarantee for hoping, that patriotism will always predominate amongst us, and that, ultimately, the work of our establishment and consolidation will be consummated? Countrymen: from what has been done in so short a time, the Mexican People may easily infer what they are capable of effecting. It is true that some zealous and well-intentioned individuals expect to see you already on a par with adult Nations, and are even grieved and dis-



heartened, that we have not arrived at that point; but such an expectation is unreasonable—the thing is impracticable,—the elevation of a People can only be the work of time, and with good Institutions. Let us not then exaggerate evils, which, if they do exist, are inevitable to our situation; let us be penetrated with the conviction of our being equal to our task, and let us be more and more convinced that we can in the end attain our object, since we have overcome the most arduous and painful part of it: the steps which we have yet to take are few; the sacrifices are small which we have yet to make; let us not then lose a good which is almost in our hands, nor, on the eve of success, render ourselves unworthy of triumph and happiness.

With respect to ourselves, who have been unmeritedly elevated to the highest Station of the Republic, and have administered the Government in rude and difficult times; we have had the good fortune never to have compromised ourselves with the Enemies of our Country, from a devotion to which, we are now passing, with satisfaction, from the Supreme Command, to a passive state of obedience: we have never abused the plenitude of power, nor the extraordinary functions confided to us by the Sovereign Congress. Do not such claims entitle us to expect, in these last moments, by the indulgence of the Mexican Nation, to fix its attention on its dearest and most precious interests?

Countrymen: let us always bear in mind, that no Government can exist without subordination; that economy and virtue are the soul of federation, and that, without union, we shall infallibly lose our Independence. United, whatever may be the reforms and modifications which circumstances may introduce amongst us, we shall continue free, independent, and happy; but if, unfortunately, we disagree, we shall be the laughing stock of Nations, the execration of our brethren and neighbours, and, that which we ought most to fear, the prey of our ancient enslavers, who will return to bind us with heavier chains, and come to insult our misfortunes with augmented pride and malignity. Let us then never remove this idea from our minds—let us close all the avenues to discord, and guard against such a disgraceful and insupportable humiliation. Let us not deceive ourselves: there is no State in the Federation which can remain secure, and exist of itself alone. Whoever proposes the attempt, is the most perfidious and mischievous Enemy of our Country; for general disorganization would be the result: thenceforward, weakness and prostration, and, in the end, ruin and slavery. Let us not then forget this conservative principle of the Republic, and its welfare:—that, united, Anahuac is capable of every thing: but, divided, we are nothing:—liberty is lost, and our Country disappears, if unfortunately we should be involved in dissensions and divisions.

Although we have not the glory of leaving the Nation as consolidated and flourishing as we could desire, yet we have the satisfaction

of knowing that it preserves itself in a state of energy and vigour : thus far it has gone, as it were, by itself : it required nothing on our part but rectitude of intention : but power and authority being now concentrated, a new career opens for its good, and, it must rapidly advance to the point, where aggrandizement, prosperity and splendour, are all united. In descending from the elevated situation in which the will of the Nation placed us, no other idea occupies us, no other sentiment agitates us, than that of the public happiness ; the great and inestimable kindness with which we have been distinguished, imposes upon us the delightful obligation of being the first and most ardent of Patriots. We shall do our best to fulfil this duty : we shall employ ourselves in the service of, and in devotion to, our Country, regardless of the sacrifices it may occasion ; and if it be permitted to us to enjoy private life, we hope to render our retirement useful, by giving examples of respect and subordination to authority—of obedience and submission to the Law.

Let us then prepare the happiness of future Generations : May our Country improve, elevate and aggrandize itself in every respect ! May our fellow Citizens be happy : and may this rich, fertile, and precious soil, on which we first saw the light, be shortly ranked among Nations, celebrated by some, and feared by others, as a land of liberty, a school for morals, the asylum of the good, the rock of destruction to ambition, and the grave of Tyrants !

GUADALUPE VICTORIA, *President.*

NICOLAS BRAVO.

MIGUEL DOMINGUEZ.

***MANIFESTO of General Victoria, on his Election as President of the Republic of Mexico.—(Translation.)***

MEXICANS,

*Mexico, October 10, 1824.*

**CALLED** by your suffrages to the high station of President of The United States, when I believed that the moment had arrived for my retirement, to enjoy, in the midst of my Fellow-Citizens, the benign influence of the Laws, under a free Government, acquired by the heroic exertions of the valiant sons of the Country ; I am bound to address a few words to you, to express to you my feelings, my wishes, and the principles which I propose to adopt as the invariable rule of my conduct.

It would be useless to speak to you of my incapacity to discharge the obligations imposed upon me by my Country ; malignity would attribute to false modesty the ingenuous confessions of a man, who, though he have learned to defy every danger, and to face death with all its horrors, cannot flatter himself with possessing the knowledge necessary for directing a great Nation, and much less at the period of its first formation, and when, just emerging from a prolonged revolution, Parties may yet produce agitation. I wish, notwithstanding, to assure you of the purity of my intentions, and to present myself before the

whole Nation, with the consciousness of having never entertained an idea opposed to its happiness. Fourteen years of consistent and uniform conduct, give me some right to be believed in this respect.

The praise-worthy efforts of the Supreme Executive Power, which has just placed the authority in my hands; the constant activity with which it has laboured to consolidate the Administration; the impression which has been produced amongst the People, who saw the helm of affairs in the hands of men, so estimable for their patriotism, and their distinguished virtues, have led to the state of things which we have now to admire, after the sorrowful and tempestuous days which preceded the period of tranquillity.

At this moment all appears to announce order, abundance, and prosperity: the Federal Constitution, recently formed in the bosom of the General Congress, completes the beautiful edifice of Mexican Society. The subordination and discipline of the Army;—the steady progress of the States of the Federation; the influx of Strangers into our interior population; the impulse imparted to different branches of industry by their laborious exertions; the laudable hospitality with which they are received by the Sons of the soil; the innumerable concourse of their Vessels in our Ports of both seas; the interest which two great Powers directly take in the consolidation of our Institutions, by giving the example of the recognition of our political existence; the tendency of opinion to maintain and perfect them; the progress made in the best sources of our riches; the mass of light and information, which daily extends itself over our horizon:—all, Fellow-Citizens, ought to inspire me with the most flattering hope that the Nation will not retrograde during the term of my Administration. My soul is filled with ineffable pleasure at the contemplation of my being able, in any way, to contribute to the stability, increase and permanence of these precious enjoyments.

These, Mexicans, are my expectations, to the fulfilment of which I shall direct my most anxious solicitude. In carrying into execution the means of effecting my object, how many difficulties present themselves at every step! What obstacles oppose themselves to our progress! The system of duties, which has not yet commenced; the intricacy which it will be necessary to avoid, in their collection and application; the embarrassment into which the Authorities are thrown by the novelty of the System; the force of habit and the prejudices which oppose themselves to its free and expeditious execution; the jarring interests which it is necessary to reconcile; the organization of a society, so different from that of the monstrous Spanish Administration:—are so many difficulties to be encountered on every side in attaining the sacred ends which I propose to myself; but in which I shall succeed, if your patriotism, and that heroic constancy which you have displayed against an obstinate and ferocious Enemy,

in the establishment of your liberty and Independence, come in aid of my endeavours.

If I have contracted new obligations, in consequence of my being called by the publick voice to the head of the Government, the Nation is bound to afford me all the assistance necessary to enable me to discharge the solemn duties confided to me. Remember, Mexicans, that it is not the hand of tyranny which will guide you, after you have established a Government truly National; and, reflecting on this subject, you will not forget the difference which exists between the slaves of a Despot, who only obey the voice of fear and of terror, and the free Citizens, who, convinced of the necessity of living under the empire of the Laws, not only punctually comply with those which are ordained, but watch over and mutually exact their strict performance. This, Fellow-Citizens, is the basis of liberty and the sole guarantee of your Rights. At the voice of the Law, let all party, all division, all rivalry, disappear. Your President assures you that nothing shall ever make him deviate in any respect from this safe and unerring path, which he will ever regard as the most firm support of the National existence.

The political vicissitudes which we have experienced, have given rise to the formation of some Parties, but they are now disappearing as the causes which produced them cease. Vacillating and uncertain as the majority of the Nation were, as to the form of Government which ought to be adopted, after breaking the bond with the, so called, Mother Country, and overthrowing the Imperial System, it was impossible to avoid the multiplication of Parties, in the effervescence of passions, produced in the midst of disorder, and without any restraint imposed upon them: ambition developed all its resources; the enemy availed himself of the general confusion; the Vessel of the State floated in the midst of a tempestuous ocean of opposing elements, and the sensible part of the Nation sighed for a Constitutional Law, or a fixed and uniform System, which should unite all the good Sons of the Country under the same banner. That moment has arrived: the fate of Anahuac is irrevocably fixed: every step which may tend to rescind the Compact, now solemnly entered into by The United States, ought to be considered as an attempt against the Country, and punished with the severity prescribed by the Laws.

There is one path which will conduct the Citizens to a favourable opinion and consideration of the Authorities and of the Nation: application to industry, respect for religion and the Laws, the strictest observance of publick morality, and a desire for the preservation of peace and tranquillity. Parties under the influence of passion lead the publick feeling astray, because they never confine themselves to the consideration of the subjects which they pretend to discuss: they



irritate Citizens against each other, encourage a spirit of discord and insubordination, and suffer foreign influence to prevail, throwing themselves into the arms of those who offer support and protection. This divides national opinion, and leaves it subject to the intrigues of other Governments, because it does not manifest a regular and uniform voice, nor the wishes of the People. Fly, therefore, Mexicans, from the abyss into which our common Enemies are endeavouring to plunge us. Banish, my fellow Countrymen, those who promote division, and agitate useless questions, in which the publick welfare is not concerned, as well as that class of men who exist in badly organized societies, whose only object is to promote dissention, at any price, among the sons of our Country, and between them and Foreigners. Let all personal animosity, which ever degrades a great People, be entirely forgotten, and let us continue to afford proof to the civilized world, that the Mexicans unite gentleness and amiability of character, with hospitality, and the practice of all the social virtues.

By this, Citizens, I do not in any way desire, that the spirit of Independence with which you are animated, should slumber, nor that the enthusiasm which fires your breasts, against all foreign domination, should be chilled. On the contrary, my first duty is to nourish *this sacred flame, which has never been extinguished in my hands*, since it was first conveyed from the Altars of the Country to the field of honour against its Enemies. But it is necessary to avoid two imminently dangerous rocks. With the name of love of Independence, personal hatred may be associated, to criminate and persecute a class of men, whose situation is, nevertheless, worthy of our respect and attention. The publick conduct of an Individual is that alone which is subject to the notice of the Government, and so long as that be conformable to the Laws, no individual should be interrupted in the tranquillity he enjoys: on the contrary, it is the duty of society to preserve all the Civil Rights due to those who contribute to its existence and support; but if departing from the sphere in which circumstances have placed them, they attempt to animate a spirit of party, or to create or encourage factions in any way, the severe hand of Authority knows how to punish, and bring them back to their duty; and publick opinion, coming to the aid of the Government, will establish Independence and the Constitution on indestructible bases.

The state of our Treasury demands all the attention of the Government, as one of the principal supports of the social edifice. Although smiling prospects represent the resources of the Mexican Nation as much superior to its wants, when its active industry shall have given vent to its rich productions, and brought its immense wealth into circulation, we have seen ourselves under the melancholy necessity of pledging the publick credit at a great sacrifice in Foreign Nations; appearing in the markets of Europe in a character inferior to that of

other States, which are not to be compared with opulent Mexico. Here, my Fellow-Citizens, I must be permitted to throw a veil over the causes of this discredit. For why should we recall to mind our misfortunes and miseries? What advantage is there in the recollection of events which ought never to have occurred? Let us rather seek the remedy for our evils, and give to the civilized world evident proofs that we are capable of reorganizing that which the inexperience of our Agents has deranged. Already has the Supreme Executive Power made arrangements which do honour to its judgment and good faith: the Administration has taken a step towards the latter object, the success of which must, in a great measure, depend upon the course the Nation adopts in the new order of things. Without a rigid economy in the public expenditure, without the exact payment of the interest of the creditors of the Nation, unless special funds be destined to the extinction of debts, the payment of which is identified with the national honour, and above all, unless peace and tranquillity prevail under the Constitutional System to which we have solemnly sworn, we shall be miserable for a long period, and civilized States will regard us as a disgrace to the American People. The General Congress is seriously occupied in considering how to provide for the reduction and payment of the interest of the public debt. The Government will punish with the invincible arm of the Law, the attempts of any faction to weaken public confidence, should unfortunately any such exist amongst us, not omitting, however, to preserve inviolate the Laws for the protection of social guarantees. This, my fellow Countrymen, shall be one of the objects to which I shall devote my attention, with the zeal and preference to which it is entitled. If our credit be established on solid bases, our resources will be multiplied; at the voice of the Nation immense capitals will supply our wants, and, confidence being inspired, we shall, in a short time, see our soil converted into a great emporium for Commercial Nations, who, as yet, have not fixed upon a spot for their mercantile operations.

This, Mexicans, is one of the great revolutions which the Independence of America ought to produce in the Commerce of the World: and behold to what an elevated point of prosperity and estimation our prosperous destinies call us! A short interval separates us from this great event: the consolidation of our Government, that is to say, a faithful obedience to the General Constitution, and the exact fulfilment of the Laws which emanate from the Legislatures: a strict observance of the laws of morality, and an inviolable respect for the religion we profess. Licentiousness and fanaticism are, equally, enemies to the prosperity of States, and, in the annals of the world, no Nation was ever capable of supporting itself without religion and divine worship. An intimate connexion exists between them; and when enlightened Nations are satisfied that the cry of Independence, and the creation of

our Institutions, have not been the effect of a temporary excitement, or an ephemeral enthusiasm; when, observing the uniformity of our actions, they see that religion, morality and legislation go hand in hand to consolidate our Government; when they perceive amongst us no other impulse than that which, in the midst of tranquillity and peace, leads to wealth and abundance; then will they hasten from all parts to people our immense and fertile plains, to explore the precious productions of our mountains, to convert our ancient woods, into floating edifices, to render our rivers navigable, to establish good roads in every direction; and lastly, to give a youthful and vigorous life to society, preparing for us all the advantages which civilized Nations enjoy, satisfying our wants, and causing all the arts to flourish, which will embellish our soil so favoured by nature.

The New World presents to the view of the Universe a population full of life and of great promise; but, in placing Mexico on the list of those States which have secured their Independence of Europe, her future opulence is evident, as well as the immense power which is about to conduct her to the first rank amongst free Nations. And this great People, composed of gallant heroes, has yet within its boundaries a handful of obstinate enemies! Still a detachment of Spaniards, seeking refuge on a rock, a mile from our shores, insults the majestic national banner! Mexicans, the national honour is compromised; and your President loves the honour of his Country: the eagle of Anahuac, flapping its wings over this insignificant redoubt, will soon triumph over those, who, unable to resist the valour of our brave Soldiers, have sought an asylum in the waters of the ocean. The Ships of Cortes will vanish for ever from our shores, and the headstrong Iberian will reduce his Dominion to its ancient limits. Liberty exists only at a distance from the Pillars of Hercules; but there, anarchy and despotism debase the Country which once gave us Masters, but which now hopelessly envies the happy lot of the People it oppressed.

The state of our Naval Force does not now present a very flattering perspective, yet we ought to hope for the future. Occupied as the Government has hitherto been in organizing a permanent Land Force, as well as in attending to the various objects that called for its immediate attention, (the Nation being destitute of resources of every kind, in the midst of so many wants,) it could not attend, with the preference it merited, to this important and useful branch, which puts all the Nations of the globe into communication with each other, and gives to them a decided influence over Commerce. Our Coasts, which reach from the 15th to the 40th degree of North latitude, on both the oceans, imperiously require a vigilant activity, as much for the purpose of repelling any aggression from the enemy with whom we are at present at War, as of preventing the formation of Colonies, by



the many Adventurers who seek an asylum where there is no organized Government. I have directed various arrangements to be made, with a view to these and other important objects which have suggested themselves to me, as requiring attention.

Our system of Government would preclude me from speaking of the permanent Land Forces; of that Army, which has covered itself with glory in establishing the Independence and Liberty of their Country, had I not at the same time the satisfaction of assuring you that the virtuous Military of the Republic are *Citizen Soldiers*.—Convinced that its irresistible force should be employed against external enemies, and the maintenance of the Constitution and the Laws, of which it is considered one of the firmest supports, I shall turn my serious attention to the discipline, order, subordination, and interior regulation of the whole Army; and I shall never lose sight of the punctual payment of them; of the appearance and composition of the Troops; and the preservation of that delicate sense of honour which reflects credit on the profession, and which knows that its existence depends upon the observance of morality.

Firm and vigorous as are the relations which justice and convenience have established between this Republic and that which the sword of Simon Bolivar has founded, I shall more than ever be gratified in seconding the wishes and efforts of the Hero of the Equator, and in upholding, from North to South, the sacred banner of liberty.

The principles which the Nation professes, the relations of friendship and harmony between our Government and that of Guatemala, the decorum and dignity of both People, required that the doubts which had been raised, as to which of the two Nations the Territory of the Chiapas, was to belong, after the separation of Guatemala from Mexico, should be put to rest by the deliberation of the Inhabitants. The public prints have announced the result in the celebrated Declaration, which will do honour to the two great States, between which this Province is situated. May it please Heaven, that in this manner all the differences which in after times exist between the Governments of the New World may be terminated, and that these principles of respect and deference to the will of the People may one day be the basis of Treaties among Nations.

I do not wish to conclude this Address without offering an important lesson for all the Sons of Anahuac. The Federal System having been adopted, by the unanimous voice of the Country, and regulated in the wise Constitution which the General Congress has just sanctioned,—never should be forgotten, my beloved Countrymen, what the immortal Washington said on a similar occasion to his Fellow-Citizens:—“If the States do not leave to the General Congress to exercise those functions which the Constitution has undoubtedly conferred upon them, all will go rapidly to anarchy and confusion. It is necessary for the



happiness of States, that the Supreme Power should be deposited somewhere, to direct and govern the general interests of the Federation; without this there can be no union or safety, and discord will soon follow: that all acts that tend to dissolve the Union, ought to be considered as hostile to American Liberty and Independence, and that the Authors of such acts should be treated as they deserve."

Here, in a few words, are the elements of our social organization summed up. I may venture to address to you the words of that immortal Man, who, on so many accounts, has acquired the love and veneration of his Countrymen. My feeble voice will be listened to, when it mentions, with profound respect, the Hero of the North, and I do not fear to be censured, when covered by his august shade.

Mexico, 10th October, 1824; 4th of Independence; 3rd of Liberty; and 2nd of the Federal Republic.

GUADALUPE VICTORIA.

*MESSAGE of the Supreme Director, General Bolivar, on the Installation of the Sovereign Constituent Congress of Peru.—Lima, February 10, 1825.\**

GENTLEMEN,

(Translation.)

THE Representatives of the Peruvian People are assembled to day under the auspices of the splendid Victory of Ayacucho, which has for ever fixed the destinies of the New World.

It is a year since the Congress decreed the Dictatorial Power, with the view of saving the Republic, which was then falling, overwhelmed with the weight of the most frightful calamities. But the protecting hand of the Liberating Army, has cured the wounds which the Country felt at its core, has broken the chains which Pizarro, the Founder of the Empire of the Sun, had rivetted upon the children of Manco-Capac, and has restored to Peru the sacred enjoyment of her primitive Rights.

My Administration can, properly, be called only a Campaign: scarcely have we had the necessary time to arm ourselves and to combat, the multitude of our disasters leaving us no other alternative than that of defending ourselves. As the Army has triumphed with so much glory, I think myself bound to entreat, in behalf of the Peruvian Troops, that Congress may duly reward the valor and virtue of the Defenders of th Country.

Tribunals have been established according to the Fundamental Law. I have ordered meritorious individuals to be sought out, and have placed them in the Judgment seat; I diligently enquired for those who modestly profess the worship of conscience, the Religion of the Laws.

A National Revenue did not exist; fraud corrupted all its sources;

want of order augmented the misery of the State. I considered myself forced to dictate essential reforms and severe Ordinances, in order that the Republic might recover its existence, seeing that the social body cannot support itself, unless gold circulates through its veins.

The crisis of the Republic invited me to make an important reform, which in the course of Ages, perhaps, may not offer again. The political edifice had been destroyed by crime and war; I found myself upon a field of desolation, but with the advantage of power to construct upon it a beneficent Government. Notwithstanding my ardent zeal for the welfare of Peru, I cannot assure the Congress that the work has reached that stage of improvement, with which hope had flattered me. The wisdom of Congress will have to employ all its aid, to give to the Country the organization which it requires, and the happiness which liberty promises. Permit me to confess, that, not being a Peruvian, the execution of so arduous a task has been more than ordinarily difficult.

Our relations with the Republic of Colombia have afforded us a powerful aid. Our Ally and Confederate has not withheld anything from us; it has employed its Treasures, its Marine, and its Army in combating the common Enemy, as if it were its own Cause.

Congress will observe, in these efforts of Colombia, the infinite value which America derives from an intimate and strict Confederation of the New States. Convinced of the great advantage that will result to us, from the Meeting of the Congress of Representatives, I have hastened to invite our Confederates, in the name of Peru, in order that we may, without loss of time, see that August Meeting assembled in the Isthmus of Panamá, which should seal our perpetual Alliance.

The Republic of Chile has placed a part of her Marine, commanded by the brave Vice-Admiral Blanco, at the disposal of our Government, who now blockades the Forts of Callao with Chilean and Colombian Forces.

The States of Mexico, Guatemala, and Buenos Ayres, have made us offers of assistance, but these we have not required, in consequence of the rapidity of our successes. Those Republics have established themselves, and maintain their internal tranquillity.

The Diplomatic Agent from the Republic of Colombia, is the only one which has at present been accredited to our Government.

The Consuls of Colombia, of The United States of America, and of Great Britain, have presented themselves in this Capital to exercise their functions: the last had the misfortune to perish in a lamentable manner, the other two have obtained the necessary Exequaturs to enable them to enter on the duties of their Office.

When the military successes of Peru shall be known in Europe, it appears probable that those Governments will decide finally on the

policy which they may think proper to adopt. I flatter myself that Great Britain will be the first to recognize our Independence. If we can rely upon the declaration of France, she will not long delay to follow the example of England in this liberal step, and perhaps the rest of Europe will pursue the same line of conduct. Even Spain herself, if she consults her own interests, will no longer oppose the existence of the New States, which are intended to complete the social system of the Universe.

Legislators ! On restoring to the Congress the Supreme Power which it deposited in my hands, let me be permitted to congratulate the People, who have freed themselves from that which is the most terrible in the World,—from War, by the Victory of Ayacucho ;—and from Despotism, by my resignation. Proscribe for ever, I beseech you, such tremendous Authority ! That authority which was the grave of Rome. It was laudable, no doubt, in the Congress, for the purpose of avoiding horrid abysses, and furious tempests, to confide the Laws to the bayonets of the Liberating Army ; but now that the Nation has obtained domestic peace, and political liberty, the Laws alone should command.

Gentlemen, the Congress is installed.—

My destiny as an auxiliary Soldier, calls me to contribute to the liberty of Upper Peru, and to the reduction of Callao, the last Bulwark of the Spanish Empire in South America. I will then fly to my Country, to give an account to the Representatives of the Colombian People, of my Mission to Peru, of your liberty, and of the glory of the Liberating Army.

BOLIVAR.

*DECREE of the Supreme Director, General Bolivar, nominating a Council of Government in Peru.*

(Translation.)

Lima, 24th February, 1825.

I, SIMON BOLIVAR, Liberator, President of the Republic of Colombia ; Liberator of, and entrusted with, the Supreme Authority in Peru, &c. &c. considering :

1. That I am empowered by the Sovereign Congress to delegate a portion of the Authority conferred upon me.
2. That the Interests of the Republic call me to the Southern Departments.
3. That I have ever been extremely anxious to deposit the reins of the Government of Peru in the hands of its own Citizens.
4. That, during my absence, a Supreme Government should reside in this Capital :—

Have decreed, and do decree, as follows :

- I. I delegate the Political and Military Authority to a Council of Government, to be composed of three members : namely, the Grand

**Marshal, Don Jose de La Mar, President;—the Minister for the Home Department and Foreign Affairs, Don Jose Sanchez Carrion; and the Minister of Finance, Don Hipolito Unanue.**

**II.** The President of the Council of Government shall have a decisive voice in the Resolutions of the Council; the other Members a consultative one.

**III.** The Powers of the Council of Government shall be the same as those which the Constitution confers upon the President of the State.

**IV.** The Council of Government shall receive Instructions and Orders through the Ministry of War, which must be complied with accordingly.

**V.** The establishment and honors of the Council of Government shall be similar to those of the President of the Republic.

**VI.** The Minister for the Home Department and Foreign Affairs shall be the Vice President, in case of the absence, or illness, of the President. In the event of two of the Members of the Council of Government being unavoidably prevented from attending to their functions, the General in Chief of the Army of the Coast shall supply their place.

**VII.** The Minister of War shall accompany me to the Southern Departments, and shall be constantly with me. He shall address himself directly to the Council of Government on all necessary occasions.

**VIII.** The Home, Foreign, and Finance Departments belong, exclusively, to the Council of Government.

**IX.** The Consultative Members of the Council of Government shall continue entrusted with the Duties of their respective Departments.

**X.** The immediate direction of the War, in the Departments of Lima, Trujillo, and Huanuco, belongs to the Council of Government.

**XI.** The immediate direction of the Squadron blockading Callao, also belongs to the Council of Government.

**XII.** All affairs, of whatsoever nature, in the Departments of Arequipa, Cuzco, and Puno, shall be conducted by the Ministry of War.

**XIII.** The Orders and Decrees of the Council of Government, after having been submitted to the Ministry of War, and after having, through him, received my approbation, shall be carried into effect, throughout the three last-mentioned Departments.

**XIV.** All Orders and Decrees which may emanate from the Ministry of War, whether addressed through the Council of Government, or directly, shall be obeyed and put in force throughout the whole jurisdiction of the Republic; but the said Council of Government must, in all cases, be made acquainted with these Orders and Decrees.

**XV.** The Council of Government is specially charged to convoke the National Representation of the Republic, in the next year, for the day pointed out by the Law.



XVI. The Minister of State, in the Department of War and Marine, is charged with the execution of this Decree.

Let this be printed, published, and circulated.

Given in the Palace of the Supreme Government in Lima, the 24th February, 1825. SIMON BOLIVAR.

By Order of His Excellency, TOMAS DE HERES.

*DECREE of the Government of Peru, prohibiting the Importation of Spanish Property.—Lima, 17th April, 1825.*

*(Translation.)*

THE Council of Government; considering that the obstinacy of the Spanish Government, in continuing hostilities against the Republic, to sustain its pretended rights, imperiously demands the adoption of vigorous measures, in order to compel the Cabinet of Madrid to listen, at length, to the voice of justice, and of its own interest,—has resolved to decree, and has decreed;

I. That every description of Property, belonging to Subjects of Spain, which may be hereafter introduced into the Territory of the Republic, shall be confiscated for the service of the State, under whatever Flag it shall be found.

II. That, four months after the publication of this Decree, all Vessels, on board of which Spanish Property shall be found, of whatever kind, shall be declared lawful Prize by the competent Tribunals, and their Cargoes confiscated.

III. That the produce and manufactures of Spain, without exception, shall be considered as Spanish Property, and shall be seized throughout the Territory of Peru, whenever its value amounts to one hundred dollars.

IV. That in all cases in which any doubt may arise, as to the Spanish origin of any description of property, introduced either by sea or land, the Inspector of the Customs of the Place, assisted by two competent Persons shall decide the question; and in case of objection to their decision, the Minister of Finance shall name two other Persons to decide, whose declaration on oath, shall be irrevocable.

V. That the Inspectors of Customs shall be personally responsible for the introduction, under false entries, of Spanish Produce, or Merchandize.

VI. The Minister of State, in the Department of Finance, is charged with the execution of this Decree.

*Palace of the Supreme Government, Lima, 17th April, 1825.*

HIPOLITO UNANUE.  
TOMAS DE HERES.

***CORRESPONDENCE, relative to the assembling of a General Confederation of the American Republics at Panama.***

**I.—CIRCULAR OF GENERAL BOLIVAR.**

MY GREAT AND GOOD FRIEND,

*Lima, December 7, 1824.*

AFTER fifteen years of sacrifices, consecrated to the liberty of America, in order to obtain a System of Guarantees, which, in Peace and War, may be the shield of our new destiny; it is time that the interests and relations which reciprocally unite the Republics of America, formerly Colonies of Spain, should be founded on a fundamental basis, for the purpose of perpetuating, if possible, the duration of their Governments.

To establish such a System, and to consolidate the power of this great Political Body, the exercise of a Sublime Authority will be necessary; to direct the Policy of our Governments, to maintain, by its influence, the uniformity of our principles; and whose name alone may be sufficient to calm our agitations. So respectable an Authority, can only be found in an Assembly of Plenipotentiaries, sent by each of the Republics, and united under the auspices of the triumph gained by our arms over Spanish Power.

Deeply impressed with these ideas; as President of the Republic of Colombia, in 1822, I invited the Governments of Mexico, Peru, Chile, and Buenos Ayres, to form a Confederacy, and to assemble on the Isthmus of Panama, or at any other Place most convenient to the majority, a Meeting of Plenipotentiaries from each State, "who might serve as Counsel to us in our difficulties, as a rallying point in our common dangers, as faithful Interpreters of our Public Treaties, should doubts arise, and, in fine, as Conciliators in all our differences."

The Government of Peru, concluded, on the 6th of July of that year, a Treaty of Alliance and Confederation with the Plenipotentiary of Colombia; by which both Parties were pledged to interpose their good offices with the Governments of America, formerly Spanish, to induce them all to enter into the same Compact, in order that a General Assembly of the Confederates might be formed. A Treaty to the same effect was concluded at Mexico on the 3rd of October 1823, by the Envoy Extraordinary of Colombia to that State; and there are strong grounds for hoping that the other Governments will accede to what a regard for their best interests so urgently dictates.

To delay for a longer period the General Assembly of the Plenipotentiaries of those Republics, which have already confederated together, until the accession of the remainder be obtained, would be to deprive ourselves of the advantages which that Assembly would produce from the moment of its installation. These advantages are prodigiously enhanced, if we contemplate the picture presented to us by the political world, and more particularly by the Continent of Europe.

The Meeting of the Plenipotentiaries of Mexico, Colombia, and

Peru, would be indefinitely delayed, were it not proposed by One of the Contracting Parties; and were we to wait for the result of a new and special Convention, to settle the time and place for this important object. Considering the difficulties and delays resulting from the distance which separates us, and other weighty motives affecting our general interests, I have resolved to take this step, with a view to promote the immediate meeting of our Plenipotentiaries; whilst the other Governments are adjusting the Preliminaries which have already been agreed upon between us, relative to the appointment and assembling of their Representatives.

With respect to the period of the installation of the Assembly, I apprehend that no difficulty can arise to prevent its taking place within the space of six months, from the present date; and I would fain hope, that the ardent desire felt by all Americans to exalt the power of the Colombian World, will lessen the difficulties and delays, which ministerial preparations, and the distance which exists between the Capitals of each State and the central place of meeting, might otherwise occasion.

It would seem that, if the World had to select a spot for its Capital, the Isthmus of Panama would be chosen for that august purpose; placed, as it is, in the centre of the Globe; looking on the one side towards Asia, and on the other towards Africa and Europe. The Isthmus of Panama has been offered by the Government of Colombia, in the existing Treaties, for the Assembly. The Isthmus is at an equal distance from the two extremities; and on this account might be provisionally selected as the Place where the first meeting of the Confederates should be held.

Yielding, therefore, to these considerations, I feel strongly inclined to send the Deputies from this Republic to Panama, the moment I have the honour to receive the desired answer to this Circular. Nothing, certainly, will contribute so much to gratify the ardent wish of my heart, as the co-operation which I look forward to, from the Confederated Governments, in carrying into effect this august act of America.

Should your Excellency not be disposed to concur in this step, I anticipate serious delay and inconvenience, at a time when the movements of the World accelerate all things, and may accelerate them perhaps to our disadvantage.

In the first Conferences between the Plenipotentiaries, the residence of the Assembly, as well as its functions, may be settled in a formal manner by the majority; and then all will soon be accomplished.

The day on which our Plenipotentiaries exchange their Full Powers, will form a memorable æra in the diplomatic history of America. When, an hundred Ages hence, posterity shall seek the origin of our Political Institutions, and look back to the Compacts which consolidated our destiny, it will consult, with veneration, the Protocols

of the Isthmus. In them it will discover the basis of our first Alliances, which are to regulate the progress of our Relations with the Universe. What will the Isthmus of Corinth then be, compared with that of Panama?

God preserve Your Excellency, &c.

BOLIVAR.

*The Governments of the American Republics*

## 2.—*The Vice President of Colombia to General Bolivar.*

*Palace of Government, Bogota, 6th February, 1825.*

MY GREAT AND GOOD FRIEND, AND FAITHFUL ALLY,

I HAVE read, with the greatest pleasure, your very esteemed Communication, dated from the City of Lima, the 7th of December last, in which you express your ardent desire that the Assembly from the Confederated States of America, formerly Spanish, should meet, if possible, within six months.

I feel great satisfaction in assuring you, that, being actuated by the same feelings as yourself, I have already taken every step calculated to accelerate the carrying into effect an object, so essential to our security and future happiness. The wants of the new American States, their position with reference to Europe, and the obstinacy of the King of Spain, in refusing to recognize them as independent Nations, render it now, more than ever, imperative on us, and our dear Allies, to adopt a system of political combination, which may stifle in its birth any attempt to involve us in fresh calamities. The dangerous principle of interference, which some Cabinets of the Old World have adopted, and eagerly put in practice, calls for our serious consideration, as well on account of its tendency to keep alive the expiring hopes of our obstinate Enemies, as to avert the fatal consequences which the introduction of a maxim, so subversive of the Sovereign Rights of the People, would produce in America.

But, however great our desire may be, at least to lay the foundation of this, the most stupendous Work, that has ever been conceived since the fall of the Roman Empire; it appears to me, that it is for our mutual interest, that the Assembly of Plenipotentiaries agreed upon, should take place on the Isthmus of Panama, with the concurrence of all, or of the greater part, of the American Governments, as well Belligerents as Neutrals; all being equally interested in resisting this pretended right of interference, to which some of the Powers of the South of Europe have already fallen victims.

For the purpose of obtaining this concurrence, Instructions were given, under date of the 15th of July last, to our Chargé d'Affaires at Buenos Ayres, to endeavour to convince the Government there, of the propriety of sending Plenipotentiaries to the Assembly of Panama, notwithstanding the ill success of the Negotiation, which was



opened for this laudable purpose, between the two Parties, in 1822. The Ratification of our Treaty of Alliance and perpetual Confederation with the State of Chile, of which, as yet, we have had no intelligence, is also expected with the greatest anxiety. And, probably, the Session of the present Legislature will not terminate without our having concluded a similar Treaty with the Provinces of Guatemala, a Minister from which State is now in this Capital, and whose recognition had been delayed from considerations towards our faithful Ally, the Republic of Mexico.

I entertain hopes, therefore, that the American Assembly will be composed of the Plenipotentiaries of the Republic of Colombia, Mexico, Guatemala, and Peru, and even of those of Chile and Buenos Ayres, as it is probable that the policy of the latter Country will be more conformable to our wishes, after the Installation of the Congress of The United Provinces of the Rio de la Plata.

With respect to The United States, I have deemed it expedient to invite them to become a Party to the August Assembly at Panama, in the firm conviction that our intimate Allies will not fail to see, with pleasure, that Friends so enlightened and sincere, take a part in the deliberations for our common interest. The Instructions which, with this view, have been sent to our Envoy Extraordinary and Minister Plenipotentiary at Washington, of which I enclose a Copy, will fully explain to you the motives which have induced me to come to this resolution.

In the mean time, the Government of Colombia will, with pleasure, send its two Plenipotentiaries to the Isthmus of Panama, within four months from the present time, in order that, united with those of Peru, they may immediately enter into discussions preparatory to the Installation of the General Assembly, which, perhaps, may be able to commence its important labours by the 1st of October of the present year.

For the purpose, therefore, of facilitating these objects, I venture to submit to you the following Propositions:

First, That the Governments of Colombia and Peru do authorize their Plenipotentiaries, after having commenced their Preparatory Conferences in the Isthmus of Panama, to enter into a direct Correspondence with the Ministers of State and of Foreign Affairs, of Mexico, Guatemala, Chile, and Buenos Ayres; representing to them the importance of sending the Plenipotentiaries of those Republics to the General Assembly, without loss of time.

Secondly, That the Plenipotentiaries of Colombia and Peru have full liberty to select, in the Isthmus of Panama, any spot, which, by reason of its salubrity, they may conceive to be the most advantageous to establish their Preparatory Conferences.

Thirdly, That as soon as the Plenipotentiaries of Colombia, Peru, Mexico, and Guatemala, or, at least, those of three of the said Republics,

shall be assembled in the Isthmus of Panama, they may fix, by common consent, the day on which the General Assembly shall be installed.

Fourthly, That the General Assembly of the Confederate States, also, have full liberty to choose, in the Isthmus of Panama, the spot which, from its salubrity, they may judge most proper to hold their Meetings.

Fifthly, That the Plenipotentiaries of Colombia and Peru shall on no account absent themselves from the Isthmus of Panama, from the time of their commencing their Preparatory Conferences, until the General Meeting of the Confederate States shall be assembled, and its Sittings be terminated.

I trust that these Propositions will evince the lively interest with which the Republic of Colombia awaits the realization of the grand designs of Divine Providence in this beautiful Hemisphere. Whom I fervently pray to take you into His Holy keeping.

F. DE PAULA SANTANDER.

*His Excellency the Liberator.*

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3.—*The Government of Colombia to its Chargé d'Affaires at Buenos Ayres.*

SIR, *Palace of Government, Bogota, 6th March, 1825.*

I HAVE the honor to inform you, that, on the 4th of last February, this Government received the Circular of His Excellency the Liberator, charged with the Dictatorial Power of Peru, inviting this Republic, its Ally, to the Meeting of the Grand Assembly of the American States on the Isthmus of Panama, to which it has consented by a Special Convention. His Excellency the Vice-President, equally impressed with the importance of that object, suggested the following Points to facilitate its execution:—

First,—That the Governments of Colombia and Peru should authorise their Plenipotentiaries, assembled in Preparatory Conferences on the Isthmus of Panama, to enter into direct Correspondence with the Ministers of State and Foreign Affairs, of Mexico, Guatemala, Chile, and Buenos Ayres, pointing out to them the necessity of sending Plenipotentiaries from those Republics, without delay, to the General Assembly.

Secondly,—That the Plenipotentiaries of Colombia and Peru may have free liberty to choose any place on the Isthmus of Panama, they may think the most eligible, from its salubrity, to hold their preparatory Conferences.

Thirdly,—That when the Plenipotentiaries of Colombia, Peru, Mexico, and Guatemala, or those of three at least of the said Republics, shall have assembled in the Isthmus, they shall be authorised to appoint, in concert, the day on which the General Assembly shall be installed.

Fourthly,—That the General Assembly of the Confederate States shall also be at liberty to choose that part of the Isthmus of Panama which it may consider the best, from its salubrity, to hold its Sittings.

Fifthly,—That the Plenipotentiaries of Colombia and Peru shall on no account absent themselves from the Isthmus of Panama, after they shall have commenced their Preparatory Conferences, until the Congress of the Confederate States shall have assembled, and have terminated its Sittings.

Many and various, in truth, are the matters which will occupy the Assembly of the American States.

The First will be, to renew the great Treaty of Union, Alliance, and perpetual Confederacy, against Spain or any other Power which might attempt to dominate over us.

2.—To issue, in the name of their Constituents, a suitable Manifesto, upon the justice of their Cause, exposing the sinister views of Spain, and declaring our system of politics with respect to the other Powers of Christianity.

3d.—To consider of the condition of the Islands of Puerto Rico and Cuba; of the expediency of a combined force to free them from the Spanish Yoke; and of the proportion of troops which each State should contribute for that purpose; and to determine whether the Islands shall be united to either of the Confederate States, or be left at liberty to choose their own Government.

4th.—To conclude or renew a Treaty of Commerce between the New States as Allies and Confederates.

5th.—To conclude a Consular Convention between all, which should clearly and distinctly lay down the functions and prerogatives of their respective Consuls.

6th.—To take into consideration the means of giving effect to the declarations of the President of The United States of America, in his Message to the Congress of last year, with a view of frustrating any future idea of Colonization on this Continent by the Powers of Europe, and to resist any principle of interference in our internal affairs.

7th.—To establish in concert those principles of the Rights of Nations, which are of a controversial nature, and especially those which relate to two Nations, one of which is engaged in War, whilst the other is neutral.

8th.—Lastly, to declare on what footing the political and commercial relations of those Parts of our Hemisphere, which, like the Island of Saint Domingo or Hayti, are separated from their ancient Government, and have not yet been recognized by any European or American Power, should be placed.

As the Three last Points equally interest The United States, considering them as Neutrals, the Government has thought proper to

authorize our Envoy Extraordinary and Minister Plenipotentiary at Washington, to invite them to send Deputies to the proposed Assembly, as you will perceive by the Despatch, of which the enclosed is a Copy. I have hastened to take this step, trusting that the Allies of the Republic of Colombia will concur in the utility of it. It will give our good, sincere, and illustrious friends, The United States, a proof of the confidence which their disinterested proceedings have inspired amongst us; and the civilised world in general, a testimony of our desire to avoid all subjects of complaint or offence, that might arise from the state of war in which we still find ourselves. Assure the Minister for Foreign Affairs, therefore, that the Government of Colombia will feel a true pleasure in knowing that its views are perfectly in concert with those of the State of Buenos Ayres.

You will not lose a moment in communicating to me the determination of that Government, upon each of the Points contained in the present Communication.

In the mean time I have the honour, &c.

*Senor Don Gregorio Funes.*

P. GAUL.

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***PROCLAMATION of the Supreme Director of Chile, for the assembling of the National Congress.—Santiago, de Chile, July 12, 1825. (Translation.)***

CIRCUMSTANCES, the most imperious and urgent, compel me to assemble the General Congress to which I had invited the Nation in my former Decrees.—These circumstances are of such infinite importance, that the preliminary steps formerly announced, and which, perhaps, in less difficult moments might better suit the Provinces, must be dispensed with.

Europe is about to take its resolution upon the fate of the Americas; and England has already recognized the Independence of Mexico, Colombia, and Buenos Ayres, awaiting the establishment of a legally constituted Government in Chile, to justify that Recognition, to which its valor, moderation and virtue, entitle it.

The new Governments invite us to assist in forming the South American Assembly, which is to organize the grand Compact of Union, and the Public Law for the New World. They have already sent their Plenipotentiaries to Panamá. The Government of Chile, embarrassed by these official invitations, owing to the non-existence of a National Representation, could only reply, that a National Congress was about to be installed, whose first Sitzings would exclusively be devoted to this sublime object.

Important Negotiations, for the encouragement of industry, and the prosperity of Chile, remain in a manner paralyzed; because the Projectors await our solid and legal establishment, ere they will commence their speculations. According to the advices from our Plenipo-



tentiary, upwards of 23 millions of dollars are now ready in England, in aid of our industry and agriculture.

The Government, without a Code of Laws to direct its Administration, knows not how to act: unable to adopt any fixed principles, or a conduct in unison with the Institutions of the Country, its course is feeble, and all its operations are impeded.

Under these urgent circumstances, I hope to see the Nation assembled on the 5th of September.

In order to ensure greater freedom and activity in the Elections, I have issued the annexed Convocation, from which it will be seen that I have taken the most effectual measures in my power for the preservation of impartiality and good order.

Inhabitants of Chile! The Nation knows too well that I have no interest at heart but that of my Country; no desire for any other dignity than that which is founded in its Glory. Nevertheless, I protest to you again, and that most solemnly, that I hold in the greatest abhorrence, (and will take care that the Judicial Authorities perform their duty, by punishing in the severest manner,) any Person who, directly or indirectly, shall assert that the Government exercises any sort of influence over the Persons or opinions of the Representatives. From motives of delicacy I have resolved, in order that it may not hereafter be alledged that the slightest deference or consideration to Authority have had any influence, that during the Elections all Governors depending upon the Directorial nomination shall be withdrawn.

It remains for you to proceed with the greatest purity and respect for the National interest. You are about to decide the fate of your Country: look well to your awful responsibility: tremble for the consequences, and the inexorable judgment of posterity.

FREIRE.

JUAN DE DIOS VIAL DEL RIO.

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*DECREE of The King of Spain, relative to the strict observance of the Fundamental Laws of the Spanish Monarchy.*

(Translation.)

Aranjeuz, 19th April, 1825.

SINCE the period when Divine Providence, commiserating the evils which the Revolution had inflicted upon Spain, was pleased to recompense the loyalty of my beloved Subjects, assisted by the valiant French Army under the command of its Illustrious Chief the Duke d'Angoulême, my beloved Cousin, by restoring me to the Throne of my Ancestors, which a handful of rebels had usurped, I have dedicated my unceasing attention to encourage and increase the respect due to our most Holy Religion, and to re-establish that order and tranquillity, which are the foundation of the prosperity of Empires. Although it may not have been possible for me to correct, in the short time which has since elapsed, all the mischief occasioned by Anarchy in the different branches of the Public Administration, My Royal Mind feels,

nevertheless, the gratifying consolation of already beholding the beneficial results of my perseverance, and the progress made in the measures of improvement, the continuation of which, and my constant solicitude for the happiness of My People, inspires me with well founded hopes that, by the assistance of the Almighty, the melancholy effects of the late disasters will soon be for ever obliterated, notwithstanding the machinations of the Revolutionists, who, however designing, ill intentioned and persevering, will in vain attempt to seduce the fidelity of my People, by calling in the aid of calumny and intrigue, to disseminate distrust, create suspicion and introduce disunion.

I have learnt with the most lively concern, that this faction has for some time insidiously propagated alarming reports, that it is intended to advise and to compel me to introduce reforms and innovations, in the Administration and Government of my Kingdom, by altering its ancient and respected Laws, and by limiting My Royal Authority. To contradict this malicious, and at the same time criminal fabrication, is both my duty and a satisfaction to myself. I therefore declare, that I am not only resolved to preserve inviolate, and in all their plenitude, the legitimate Rights of my Sovereignty, without resigning, either now or at any time, the smallest portion of them, or permitting the establishment of Chambers, or any other Institutions, whatever be their denomination, which are forbidden by our Laws and are contrary to our customs;—and that I continue to receive the most solemn and positive assurances from all my August Allies, who have given me so many proofs of their good will, and of their efficacious co-operation for the welfare of my Kingdom, that they will, on all occasions, continue to support the legitimate Sovereign Authority of my Crown, without proposing or advising, directly or indirectly, any innovation in the form of my Government.

I declare at the same time my firm and decided resolution to observe and respect the Laws, without tolerating abuses of any kind, without permitting violence and intrigue to usurp the place of justice, and without consenting that any Persons shall escape the punishment due to disobedience and insubordination, under the pretence or appearance of attachment to My Royal Person or Authority.

The strict observance of the Laws, the prompt execution of my Decrees and Ordinances, and respect for the Authorities, are the solid principles of order and prosperity, which every truly loyal Spaniard, attached to his Sovereign, ought to lay down as the rule of his conduct, and are those which, notwithstanding all the intrigues and attempts of the ill-intentioned, will secure the Peace of my Kingdoms, and the well-being of my beloved Vassals, the dearest object of my solicitude.

Let this be made known, &c.

THE KING.

Countersigned, F. DE ZEA BERMUDEZ.

**LETTER of M. Rodios, Secretary to the Greek Government, relative to the "Russian Memoir on the Pacification of Greece," and Reply of Mr. Secretary Canning.**

*M. Rodios to Mr. Secretary Canning.*

EXCELLENCE,

*Naples de Romanie, 14 Août, 1824.*

DEPUIS quatre ans, les Grecs, ayant mis toutes leurs espérances dans la Divine Providence, défendent avec succès la terre de leurs pères. Je dis qu'ils défendent la terre, car ils s'embarrassent peu des Villes, des Villages, des maisons et des propriétés particulières. Cela est assez prouvé dans les diverses invasions de l'Ennemi, dans lesquelles les Grecs ont sacrifié, avec autant de courage que de générosité, ce qu'ils avaient de plus précieux et de plus cher; ils ont préféré la liberté sous des tentes, dans leurs vallées ou sur les sommets de leurs monts, à de brillantes habitations avec l'esclavage.

Cette circonstance, remarquable dans la résistance des Grecs, ne doit-elle pas inspirer à toutes les Âmes Chrétiennes la persuasion que les Grecs, entrés dans la carrière des combats pour reconquérir leurs droits en secouant un joug insupportable, ont pour objet sacré, de délivrer leur foi, leur Patrie, leurs Temples Saints, les tombeaux de leurs Ancêtres, leurs femmes et leurs enfans, et sont étrangers aux vues politiques qui ont agité l'Europe !

Dirigés par ces principes, les Grecs, dans la lutte qu'ils soutiennent, n'ont pas manqué s'adresser à leurs Frères de la Chrétienté, en réclamant leur sympathie, et officiellement aux Monarques du Congrès de Verone, en les suppliant de protéger l'humanité outragée. Mais la Politique Européenne, adoptant des idées différentes sur les principes de notre Cause, et étant loin d'avoir une connaissance exacte de la Dynastie Ottomane, n'a voulu ni donner foi aux récits des Grecs, ni s'arrêter à entendre leurs soupirs et leurs plaintes, et ne s'est décidée qu'à une vaine neutralité, qui a quelquefois été fatale aux Grecs.

N'ayant point réussi dans le but de leurs prières publiques, les Grecs ont dû se dévouer avec constance à leur Cause sacrée, et laisser au temps de mettre leurs motifs et leurs principes en évidence.

Le Gouvernement Grec continua, en effet, ce système silencieux, et il y aurait persisté, si une Note, émanée du Nord de l'Europe, ne l'avait pas obligé à rompre le silence. Cette Note a pour objet La Grèce, et décide de son sort au gré d'une volonté qui lui est étrangère. Il est difficile d'imaginer qu'une Note aussi injuste et aussi cruelle soit sortie d'une Cour telle que la Cour de Russie. Cependant les Grecs ne peuvent se dissimuler cette idée; et, dans cette circonstance, la Nation Grecque, et son Gouvernement, dont j'ai l'honneur d'être l'organe de l'expression des sentimens dont ils adressent l'hommage à Sa Majesté Britannique, par l'intermédiaire de Votre Excellence, déclarent solennellement qu'ils préfèrent une mort glorieuse au sort honteux qu'on prétend leur faire subir.

On ne peut croire que Sa Majesté Britannique, qui a montré des



principes philanthropiques envers les Peuples de l'Amérique du Sud, permette que les Grecs soient exclus, comme indignes du catalogue des Nations civilisées, et livrés à la merci des uns et des autres, sans avoir le droit de se constituer comme Nation.

Les Grecs se trouvent certes dans une situation meilleure que celle de l'Amérique du Sud. Ils ont marqué du sceau de l'ignominie la faiblesse Turque ; ils ont prouvé qu'ils étaient dignes d'être libres. Ils ne combattent pas contre la Métropole, mais contre une Nation qui tyrannisait La Grèce, et traitait ses fils en esclaves. Les Grecs ont secoué le joug des Barbares au grand étonnement de toutes les Nations ; ils ont entrepris la guerre sans aucun moyen, bien persuadés qu'ils n'obtiendraient l'indépendance qu'à force de sacrifices ; ils ont conquis des Forteresses, des Villes, et un grand nombre de points qui étaient au pouvoir de leur farouche Despote. Dans plusieurs rencontres, ils ont battu l'innombrable et effrayable flotte turque, avec des petits bâtimens marchands ; ils ont établi des Lois conformes aux Lois des Nations civilisées ; ils ont établi un Gouvernement, en se soumettant à ses Actes.

Peut-on mettre en doute aujourd'hui si les Grecs sont dignes de l'indépendance ? Sa Majesté Britannique observera sans doute que La Grèce, devenue libre, contribuera, autant par l'esprit de son Peuple que par sa position, aux intérêts de La Grande-Bretagne. Le commerce est l'âme des Nations civilisées ; et ce commerce, où peut Elle le trouver avec plus d'avantage que dans la main droite de l'Europe, qui est La Grèce ? Quelle plus forte barrière peut Elle trouver contre l'accroissement d'un immense Pouvoir Européen ? Quel point plus favorable pour maintenir la balance de l'Europe, que ces boulevards naturels, au milieu des quels La Grèce se trouve établie ?

Ce sont des vérités incontestables, que le temps éclaircira.

Par tous ces motifs, La Grèce, je pense, a le droit, moralement et politiquement, d'espérer toute espèce de secours et de protection de la part de la philanthropique Nation Anglaise, et surtout de Sa Majesté Britannique, dont les vénérables sentimens sont si bien connus.

Il ne peut plus être mis en doute, si l'Indépendance de la Grèce est d'accord avec les intérêts des Nations Européennes ; c'est un puissant motif pour que la Nation Grecque ne soit pas dépouillée de ses droits sacrés, pour que la Nation Anglaise, dont le poids dans la balance politique est si hautement constaté, ne reste pas indifférente, et ne voit pas sans émotion l'humanité si injustement et si indignement opprimée.

J'ai l'honneur d'être, etc.

*S. E. Monsr. Canning.*

*P. G. RODIOS, Secrétaire-Général.*

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*Mr. Secretary Canning to M. Rodios.*

SIR,

*Foreign Office, December 1st. 1824.*

I HAVE to acknowledge the receipt of the Letter which you did me the honour to address to me on the 4th of August, (but which



reached my hands, only on the 4th of November) expressing the opinion of the Greek Provisional Government, upon a Paper which has been published in the Gazettes of Europe, purporting to be a Plan of Pacification for Greece, drawn up by the Court of St. Petersburg.

That the publication of the Paper, in question, is unauthorized, cannot be doubted. Whether the Paper itself be authentic, it is not for me to admit or to deny: but it is due to the Court of St. Petersburg, to declare to you, that any Plan of Pacification, emanating from that Court, would be drawn up (as the British Government sincerely believe) in any thing but an unfriendly disposition towards Greece; that no such Plan has been definitively settled, (as your Letter appears to assume) with the intention of imposing it either upon Greece, or upon the Turkish Government; and that whatever Plan the Emperor of Russia might have in contemplation, would be submitted by His Imperial Majesty to several of the Powers of Europe, His Imperial Majesty's Allies, for their consideration, before any Proposition, founded thereupon, would be made to the Contending Parties. The Emperor of Russia had, it is true, suggested to His Allies, the expediency of proposing, simultaneously, to The Porte, and to the Provisional Government of Greece, a suspension of hostilities, for the purpose of allowing time for an amicable intervention between them. Nor would the British Government have refused, at a proper time, to be Party to that proposal.

It is but just, to add, that the Paper which has attracted the indignation of the Greek Provisional Government, has been viewed with no less indignation by the Divan.

While the Greeks profess an insurmountable abhorrence of any settlement, short of the establishment of their Independence as a Nation, the Divan abjures all modes of reconciliation, short of an unqualified re-establishment of their Sovereignty over Greece.

Between two Parties so disposed, there can, indeed, be little hope of an acceptable and successful Mediation. But to have felt and expressed a desire to mediate, before the extreme vehemence of these opposite resolutions was known, and while the varying fortune of the War appeared to furnish to both Parties, not unreasonable motives for a compromise, surely cannot be imputed, either to Russia, if she originated the Project of such a compromise, or to those who might have been prepared to deliberate in concert with her upon it, as a crime.

The Paper, purporting to be a Russian Memoir, contains the elements of a Compromise, though not adjusted, perhaps, exactly in the proportions, in which they might finally have been arranged for proposal to the Belligerent Parties.

If the Sovereignty of the Turks were not to be absolutely restored, nor the Independence of the Greeks to be absolutely acknowledged,

(to propose either of which extremes, would have been, not to mediate, but to take a decided part in the Contest) there was necessarily no other choice, than to qualify in *some* mode and degree, the Sovereignty of the One, and the Independence of the Other, and the mode and degree of that qualification, seemed to constitute the question for enquiry and deliberation.

Either Party, no doubt, had it in its power to defeat any Plan of compromise, however rational in its principle, or impartial in its provisions. And the previous knowledge that both Parties would concur, in rejecting *any* Plan of compromise that could be devised, renders any hope of successful intervention, at the present moment, utterly vain.

On the remainder of your Letter, which, in effect, calls upon the British Government to take part with the Greeks in the struggle for their Independence, comparing their merits and claims with those of the Provinces of Spanish America, which have separated themselves from the Mother Country; I have only to observe, that, with respect to the Contest between Spain and the several Countries of Spanish America, Great Britain has professed and maintained a strict neutrality; and that the like neutrality has been observed by Great Britain in the Contest now raging in Greece. The Belligerent Rights of the Greeks have been uniformly respected; and if the British Government has found itself compelled, on a recent occasion, to repress the excess to which certain of those Rights were attempted to be carried, the British Government is satisfied that such a necessity will not occur again.

The Provisional Government of Greece may rely upon the continuance of the same scrupulous neutrality. They may be assured, not only that Great Britain would not be concerned in any attempt (if such attempt were in contemplation) to force upon them a Plan of Pacification contrary to their wishes, but that, if they should at any time hereafter think it fit to solicit our mediation, we should be ready to tender it to The Porte; and, if accepted by The Porte, to do our best to carry it into effect; conjointly with other Powers, whose co-operation would at once give facility to any arrangement, and afford the best security for its duration.

This appears to the British Government all that can reasonably be asked of them. They cannot accuse themselves of having in any way, directly or indirectly, instigated the commencement of the Greek Enterprise, nor of having in any way interfered in its progress.

Connected with The Porte by the established relations of Amity, and by the ancient obligations of Treaties, which The Porte has not violated, it surely cannot be expected, that England should engage in unprovoked hostilities against that Power in a quarrel not her own.

I trust, Sir, that the exposition which I have thus the honour to address to you, will be considered as affording sufficient answer to any suspicions or imputations, which error or intrigue may have propagated.

against the intentions of the British Government towards Greece, and will be accepted as a proof, at once, of the purity of our views, and of the frankness with which we are ready to declare them.

I am, &c.

GEORGE CANNING.

*The Secretary of the Provisional Government of Greece.*

***PROCLAMATION of the Greek Government, for the  
Blockade of Patras and Lepanto.***

*Napoli de Romanie, le 13 Octobre, 1824.*

LE Président du Corps Exécutif; considérant que le Gouvernement Grec a pris les mesures nécessaires pour former le blocus régulier des Places qui sont encore occupées par l'Ennemi de la Nation Grecque; considérant en outre que ce Gouvernement a destiné une force navale régulière pour cerner étroitement les Châteaux de Patras et de Lé-pante; publie ce qui suit:

Art. I. Il est défendu à toute espèce de bâtiment, quelque Pavillon qu'il porte, d'entrer dans les Châteaux de Patras et de Lé-pante.

II. Après la promulgation de la présente Proclamation, le Com-mandant de la Division Navale Grecque, ou tout Capitaine de Vais-seau sous ses ordres, sera tenu de défendre, pour la première fois, à tout bâtiment qui se dirige vers les Places bloquées, et dont il est prouvé que la cargaison n'est point une propriété Turque, d'entrer dans lesdites Places: il lui délivrera un Certificat par écrit, qu'il a été sommé de rebrousser chemin; mais il devra arrêter et traduire, devant le Tribunal compétent, ceux des bâtimens qui se trouveraient là après un terme tellement postérieur à la promulgation de la présente Proclama-tion, que l'on doive présumer qu'ils ont eu connaissance du Blocus.

III. Tous les Bâtimens, portant Pavillon Neutre, qui se trouvent dans les deux dites Places bloquées, peuvent en sortir librement dans le délai de trois semaines, à compter du jour de l'apparition de la Division Navale Grecque devant ces Places, mais sans emporter des propriétés Turques. Ceux qui sortiraient plus tard après l'expiration de ce délai, seront également arrêtés et traduits devant le Tribunal compétent.

Le Ministre de la Marine est chargé de faire imprimer et publier la présente Proclamation, partout où besoin sera.

Le Président,

G. CONDURIOTTI.

***PROCLAMATION of the Ionian Government, relative to  
the Greek Blockade of Patras and Lepanto.***

*(Translation.)*

*Corfu, November 17, 1824.*

In the name and on behalf of His Highness The President, and the Most Excellent the Senators of the United States of the Ionian Islands:

A Communication from the Persons exercising the Functions of Government in Greece, having been received by His Excellency the Lord High Commissioner, announcing that a Blockade has been established by their order, before the Ports of Patras and Lepanto, by a Naval Force, consisting of Ships regularly commissioned, and according to the Law of Nations : it is hereby ordered that all Ships and Boats, of whatever description, bearing the Ionian Flag, are to respect the same in the most strict and exact manner.

The present Proclamation, printed in the Greek and Italian languages, shall be published for general information.

By order of the Senate,

PONSONBY.

*Secretary of the Senate for the General Department.*

*ACT of the Provisional Government of Greece, proposing to place the Greek Nation under the Protection of Great Britain.—June 1825.*

MANIFESTE DE LA NATION GRECQUE.

Le Clergé, les Représentans du Peuple, et les Chefs Civils et Militaires de terre et de mer de la Nation Grecque :

1. Considérant que, fondés sur les droits inaliénables de la nationalité et sur ceux de la propriété privée, aussi bien que sur les principes dominans de la religion et de l'indépendance des Nations, et mus par les sentimens innés dans l'homme pour la conservation et la sûreté de sa propre existence, les Grecs se sont armés pour en appeler à la justice, et que pendant l'espace de plus de quatre ans ils ont lutté avec constance contre les forces combinées de terre et de mer accourues d'Asie, d'Afrique et d'Egypte ; qu'au milieu des dangers imminens, tantôt ils ont détruit les forces si supérieures de leurs Ennemis, et tantôt les ont entièrement anéanties ; et que quoique privés des ressources nécessaires à cette grande entreprise, ils sont enfin parvenus à sceller leurs droits, au prix du sang le plus précieux de la Nation, et à prouver au monde civilisé ce que peut un Peuple vraiment déterminé à reconquérir son indépendance ;

2. Considérant que les résultats mêmes de cette lutte si inégale n'ont fait que renforcer davantage dans l'esprit de la Nation la résolution irrévocablement arrêtée par elle d'établir son existence politique ;

3. Considérant que plusieurs Agens de quelques unes des Puissances Continentales, en dépit des principes même du Christianisme qu'ils professent, n'ont point observé une conduite conforme aux règles tracés et établies par elles-mêmes, et que cette conduite si illégale a



fait naître une foule de contestations politiques d'une nature et d'un caractère divergens ;

4. Considérant que quelques-uns de ces Agens s'efforcent, par les menées des Emissaires qu'ils envoient dans l'intérieur de la Grèce, de faire naître parmi les Grecs des sentimens contraires à l'esprit et aux formes du Gouvernement, sentimens qui ne conviennent qu'aux intentions et aux intérêts de ces Agens ;

5. Considérant que les Commandans des forces navales de quelques Gouvernemens font éprouver une foule de persécutions et d'entraves injustes, à la marche régulière de la Marine Grecque, et à ses mouvemens conformes aux règles du Droit des Gens ; le tout en violation de la neutralité déclarée par leurs Souverains aux Congrès de Laybach et de Vérone ;

6. Considérant avec une vive douleur que les Chrétiens eux-mêmes s'arment contre les disciples de l'Evangile pour secourir les Sectaires du Coran, et qu'une foule d'Officiers Européens s'empressent, contre les principes de toute politique et de toute saine morale, d'accourir de loin pour instruire ces derniers et conduire en personne les armées des Barbares, qui viennent mettre à feu et à sang la terre qui couvre les ossemens mêlés des Cimons et des Zamados, des Léonidas et des Botzaris, des Philopœmens, et des Nicetas ;

7. Considérant que le Gouvernement de La Grande-Bretagne, heureux de conduire un Peuple libre, est le seul qui observe une stricte neutralité, sans daigner suivre l'exemple des violations manifestes et de ces distinctions si contraires à la raison, que d'autres n'ont pas cessé de pratiquer en Grèce, à Constantinople et en Egypte ;

8. Considérant que la neutralité du Gouvernement Britannique ne suffit pas pour balancer les persécutions que d'autres exercent contre La Grèce, et auxquelles ils donnent tous les jours une nouvelle extension ;

9. Considérant que si La Grèce n'a pu jusqu'ici prévenir les entreprises des ennemis, ni prendre l'offensive, ce n'est point à cause d'une diminution de ses forces, ni par un affaiblissement de sa première résolution, mais bien par les motifs ci-dessus mentionnés, et parce que le Gouvernement n'est pas encore parvenu à dominer et à subjuguier entièrement toutes les passions particulières ;

10. Considérant que, dans cette lutte extraordinaire, les Grecs doivent sortir victorieux, ou s'ensevelir sous les ruines de leur Patrie, à cause des suites déplorables que la nature de cette lutte a entraînées avec elle, et de sa longue durée, deux causes qui ont rendu cette alternative inévitable ;

11. Considérant enfin que, puisqu'une faveur particulière de la Providence a placé les forces de La Grande Bretagne si près de nous, La Grèce doit en profiter à tems, en fondant ses espérances sur la justice et l'humanité qui animent cette grande Puissance ;

12. Pour ces motifs, et dans l'intention de mettre en sûreté les droits sacrés de la liberté de l'Etat et de notre existence politique suffisamment consolidée, la Nation Grecque prescrit, arrête, décrète et agréé la Loi qui suit :

Art. 1er. En vertu du présent Acte, elle place volontairement le dépôt sacré de sa liberté, de son indépendance nationale, et de son existence politique, sous la défense absolue de La Grande-Bretagne.

2. Cet Acte Fondamental de la Nation Grecque sera accompagnée d'un Mémoire explicatif adressé, en duplicata, au Gouvernement de Sa Majesté Britannique.

COLOCOTRONI. MIAULIS. &c. &c.

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*SPEECH of The King of The Netherlands, on the Opening of the States General, 17th October, 1825.*

NOBLES ET PUISSANS SEIGNEURS,

DEPUIS votre dernière Session, le mariage de Mon bien-aimé Second Fils s'est accompli ; l'arrivée de sa digne Épouse au milieu de nous a été accueillie par les plus cordiales félicitations ; ce sentiment unanime a particulièrement augmenté la satisfaction que Ma Maison a ressentie de cet heureux événement.

Je ne cesse de recevoir de toutes les Puissances, les assurances les moins équivoques de bienveillance et d'amitié ; l'espoir de fortifier ces relations réciproques par des Traités de Commerce se présente de plus d'une part ; les Négociations entamées à cet effet, seront suivies avec toute la sollicitude, que les intérêts et la prospérité de Mon Peuple m'inspirent ; c'est cette même sollicitude qui m'a dirigé dans les mesures que j'ai prises pour faciliter les relations de Commerce de Mes Sujets dans les différentes Parties du Monde.

L'exposition qui a eu lieu à *Haarlem* a offert un spectacle bien flatteur pour l'orgueil national, bien honorable pour notre industrie, bien rassurant pour la prospérité publique ; là se sont montrés les produits divers d'une industrie, qui a prévu tous les besoins de l'homme, depuis ses plus humbles nécessités, jusqu'à ses plus grandes, ses plus difficiles exigences ; là le Belge a pu se convaincre que de ce chef aussi, il n'avait rien à envier à l'étranger.

L'attention générale est fixée sur les moyens que la situation géographique et l'état commercial de plusieurs Pays semblent offrir au développement de notre industrie ; ces moyens pourront, je l'espère, augmenter les débouchés que les entreprises de la société de commerce ont déjà ouverts aux productions de notre sol et de notre industrie.

L'esprit d'association si fécond en grands résultats, se répand et se dirige de plus en plus vers des objets utiles ; des capitaux considéra-

bles, appliqués à la régénération de nos chantiers, ont déjà créé d'importans établissemens de ce genre, que des carènes nombreuses commencent à couvrir.

Si des espérances qui semblent fondées se réalisent, la grande pêche qui, dans les dernières années n'a été exercée qu'avec des pertes considérables, offrira cette fois des résultats avantageux.

Il n'en est pas de même de la pêche de la baleine; les Belges participent à cet égard aux résultats défavorables qu'elle présente généralement.

L'instruction primaire est à peu-près universellement établie dans le Royaume; déjà ses effets salutaires se font ressentir là même où elle est le plus nouvellement introduite.

L'enseignement supérieur récemment augmenté de quelques branches, offre maintenant aux études le faisceau des différentes connaissances humaines.

Une Institution que réclamaient depuis longtems les besoins de Mes Sujets Catholiques Romains, donnera aux jeunes gens, qui se destinent au Ministère des Autels, le moyen d'acquérir ces connaissances générales, que l'état actuel de la civilisation rend indispensables; j'en attends les plus heureux résultats pour la splendeur de l'Eglise Catholique Belge.

La générosité de la Nation, la coopération efficace de Vos Nobles Puissances, le zèle louable des Autorités et des Fonctionnaires, ont déjà considérablement adouci les maux causés par les dernières inondations; bientôt toutes les digues auront été remises en bon état de défense.

La Commission que j'ai chargé de l'examen des meilleures dérivations des rivières, a achevé son importante tâche: dans peu elle me soumettra son travail.

L'amélioration des communications existantes et l'établissement de voies nouvelles, se poursuivent avec vigueur.

Le système adopté pour les prisons se développe et sera bientôt complètement établi.

Les réglemens sur l'organisation des Etats Provinciaux et sur l'Administration des Villes et du Plat Pays, ont été soumis à une révision, les dispositions de ces réglemens concernant le droit de voter et l'admissibilité dans les Administrations provinciales et locales, devaient à l'expiration de la dixième année après la promulgation de Notre Loi Fondamentale, en faire partie intégrante; il était ainsi essentiel d'apporter à tems dans ces dispositions les améliorations, dont l'expérience avait démontré l'utilité.

Nos Possessions d'outre mer sont l'objet de ma sollicitude particulière; le but de mes efforts est de favoriser leur prospérité intérieure, et d'en obtenir en même tems le plus d'avantages qu'il est possible

pour la Mère-Patrie et pour l'industrie Nationale; dans quelques unes de ces Possessions, les dépenses, par suite de guerres et de mesures dispendieuses de l'Administration, se sont élevées à une hauteur, qui a exercé une influence désavantageuse sur l'état de leurs finances; j'ai ordonné d'abord des dispositions qui tendent à la diminuer, et j'ai de plus jugé utile d'y envoyer un Commissaire Spécial, afin d'assurer dans leurs détails, le maintien des mesures d'ordre et d'économie que j'ai prescrites. Quoiqu'on puisse espérer ainsi que cette influence pourra disparaître entièrement, il sera cependant nécessaire, que la Mère-Patrie vienne, au moyen de son crédit, prêter à ces Contrées un utile appui; je compte avec confiance sur la coopération de Vos Nobles Puissances.

Les différentes branches des revenus de l'État, ont en général, pourvu aux besoins d'une manière satisfaisante; les changemens récemment introduits dans les impositions indirectes, répondent à l'attente et augmentent le produit, nonobstant les allégemens réels qu'ils assurent en même tems à l'agriculture et au commerce; l'expérience a fait à peu-près disparaître, les difficultés, que le recouvrement de la contribution personnelle et la perception des accises avaient éprouvées; elles étaient inséparables de l'introduction d'un système nouveau; toutefois leur aplanissement a été l'objet de mes soins constans. C'est aussi dans cette intention, qu'après avoir consulté les Etats Provinciaux, usant de la faculté qui m'a été attribuée par la Loi, j'ai introduit plus généralement l'amodiation de l'impôt sur la mouture; la manière dont cette mesure a été accueillie, m'autorise à espérer que sous tous les rapports, elle répondra à mes vues.

Il m'est doux de pouvoir offrir à Vos Nobles Puissances, un tableau non moins favorable de la situation Financière du Royaume. Malgré les dépenses extraordinaires, suit inévitable de la calamité qui nous a frappés au commencement de cette Année, le montant du Budget, qui sera incessamment présenté à votre Assemblée, me mettra à même d'apporter de nouveau quelque diminution dans les charges de Mes Sujets bien aimés.

Les opérations du Syndicat d'Amortissement permettront en même tems de continuer avec quelque latitude, le remboursement et l'amortissement de la dette.

Le système monétaire des Pays-Bas s'introduit avec régularité; l'échange et la mise hors de circulation des monnaies Françaises ont été opérées, aux termes des dernières dispositions législatives, sans donner lieu, sur aucun point, à des plaintes essentielles; la fabrication de nouvelles monnaies se poursuit sans interruption, et d'après un désir assez généralement manifesté, je me propose, pour faciliter les opérations journalières, de soumettre à Vos Nobles Puissances un Projet de Loi, pour ajouter une pièce au nombre de nos monnaies d'or.



Les travaux zélés et assidus de la Commission, chargée de la rédaction de la Législation Nationale, me mettront à même d'en présenter de nouveau à votre Assemblée des parties importantes.

Quelques autres objets encore occuperont Vos Nobles Puissances, pendant cette Session. Je l'ouvre dans ce moment avec la perspective et dans la confiance qu'elle servira non moins que les précédentes, à augmenter le bien-être de l'État. J'éprouve un sentiment bien vif de satisfaction, en voyant le Trône des Pays-Bas entouré de plus en plus de l'amour et de la confiance de nos Compatriotes. Ainsi secondés, Nobles et Puissans Seigneurs, nos efforts réunis ne peuvent manquer, sous la protection Divine et en continuant de jouir du bienfait de la paix, d'atteindre leur but, la prospérité de la Patrie.

*NOTE of Mr. Secretary Canning to the Chevalier de Los Rios, relative to Spanish America.*

*Foreign Office, March 25, 1825.*

THE Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, is commanded by his Sovereign to deliver to the Chevalier De Los Rios, for the purpose of being transmitted to his Court, the following Reply to the official Note, addressed by His Excellency M. Zea to His Majesty's Chargé d'Affaires at Madrid, on the 21st of January.

So large a portion of the Official Note of M. Zea was founded upon a denial of the facts which had been reported to the British Government, with respect to the state of several of the Countries of Spanish America; and upon an anticipation of Events expected by the Court of Spain to take place in those Countries, by which the credibility of the Reports transmitted to the British Government would be effectually disproved; that it has been thought advisable to await the issue of the expected Events in Spanish America, rather than to confront evidence with evidence, and to discuss probabilities and conjectures.

Of that issue, decisive as it appears to be, the Undersigned is directed to say no more than, that it is a great satisfaction to the British Government that it had actually taken place before the intentions of the British Government towards the other Countries of Spanish America were announced. Those intentions, therefore, cannot by possibility have had the slightest influence upon the result of the War in Peru.

With this single observation, the Undersigned is directed to pass over all that part of M. Zea's Note which turns upon the supposed incorrectness of the information on which the decision of the British Government was founded.

The questions which remain to be examined, are; whether, in treating with *de facto* Governments, now established beyond the danger of any external assailment, Great Britain has violated, either any general principle of International Law, or any positive obligation of Treaty.

To begin with the latter, as the more specifick accusation

M. Zea brings forward, repeatedly, the general charge of violated Treaties; but as he specifies only *two*—that of 1809, and that of 1814, it may be presumed, that he relies on them alone to substantiate this charge.

First, as to the Treaty of 1809:

That Treaty was made at the beginning of the Spanish struggle against France, and was directed wholly, and in terms not to be misapprehended, to the circumstances of the moment at which it was made. It was a Treaty of Peace, putting an end to the War in which we had been, since 1804, engaged with Spain. It is expressly described in the first Article as a Treaty of "Alliance during the War" in which we were engaged, jointly with Spain, against France. All the Stipulations of the Treaty had evident reference to the declared determination of the then Ruler of France, to uphold a branch of his own family upon the Throne of Spain and of the Indies; and they undoubtedly pledged us to Spain, not to lay down our arms until that design should be defeated in Spain, and the pretension altogether abandoned as to America—a pledge which it is not, and cannot be, denied, that Great Britain amply redeemed. But, those objects once accomplished, the stipulations of the Treaty were fulfilled, and its obligations necessarily expired, together with the matter to which they related.

In effect, at the happy conclusion of the War in the Peninsula, and after the restoration, by British assistance, of His Catholic Majesty to the Throne of His Ancestors, the Treaty of 1809 was replaced by the Treaty of 1814. And what does that Treaty contain?—First: the expression of an earnest wish on the part of His Majesty, that Spanish America may be re-united to the Spanish Monarchy; and, Secondly: an engagement to prohibit British Subjects from supplying the Spanish Americans with munitions of War. This engagement was instantly carried into effect, by an Order in Council of 1814. And in furtherance of the like object, beyond the obligation of the Treaty, an Act of Parliament was passed in 1819, prohibiting the service of British Subjects in the ranks of the resisting Colonies.

That the wish expressed in this Treaty was sincere, the proof is to be found, not only in the Measures above-mentioned, but in the repeated offers of Great Britain to mediate between Spain and her Colonies. Nor were these offers of Mediation, as M. de Zea alleges, uniformly founded on the single Basis of the admission by Spain of the Independence of the Spanish Provinces.

Years had elapsed, and many opportunities had been missed, of negotiating on better terms for Spain, before that Basis was assumed to be the only one on which Negotiation could be successfully opened.

It was not assumed in 1812, when our Mediation was offered to the Cortes:

It was not assumed in 1815, when Spain asked our Mediation, but refused to state the terms to which She was willing to agree :

It was not assumed in 1818, in the Conferences at Aix-la-Chapelle, in which Conferences the question of an arrangement between Spain and her Americas was, for the first and last time, discussed between the Great Powers of Europe.

After the silence, indeed, which Spain observed, as to the opinion of the Powers assisting at those Conferences, when laid before Her, two things became perfectly clear; the First, that Spain had, at that time, no serious intention of offering any terms, such as the Spanish American Provinces were likely to accept; the Second, that any subsequent reference of the subject to a Congress, must be wholly fruitless and unsatisfactory. From that time forth, Great Britain abstained from stirring the subject of Negotiation with the Colonies, till, in the month of May, 1822, Spain spontaneously announced to Great Britain that She had Measures in contemplation for the Pacification of her Americas, on a Basis entirely new, which Basis, however, was not explicitly described.

In answer to that notification, Spain was exhorted by Great Britain, to hasten, as much as possible, her Negotiation with the Colonies, as the course of Events was evidently so rapid as not to admit of a much longer delay:—but no suggestion was even then brought forward by Great Britain, as to the adoption of the Basis of Independence.

The first suggestion of that Basis came, in fact, from the Government of Spain Itself, in the month of November, 1822, when the British Minister at Madrid received an intimation, that the Cortes meditated opening Negotiations with the Colonies, *on the basis of Colonial Independence*; Negotiations which were in fact subsequently opened, and carried to a successful termination, with Buenos Ayres, though they were afterwards disavowed by His Catholick Majesty.

It was not till after this last-mentioned Communication from the Spanish Government, that Great Britain expressed the opinion which She entertained, as to the hopelessness of negotiating upon any other Basis than that then first suggested by the Spanish Government.

This opinion, stated, (as has been said) in the first instance, confidentially, to Spain, was, nearly a twelvemonth afterwards, that is to say, in the month of October, 1823, mentioned by the Undersigned, in a Conference with the French Ambassador in London; the substance of which Conference was communicated to Spain, and to other Powers. It was repeated and enforced in the Despatch from the Undersigned to Sir Wm. à Court, in January, 1824.

Nothing, therefore, can be less exact than the supposition, that Great Britain has uniformly put forward the Basis of Independence, as

the *sine quâ non* condition of her counsel and assistance to Spain, in negociation with her Colonies.

To come now to the Second Charge against Great Britain;—the alleged violation of general International Law.—Has it ever been admitted as an axiom, or ever been observed by any Nation or Government, as a practical maxim, that no circumstances, and no time, should entitle a *de facto* Government, to recognition? or should entitle Third Powers, who may have a deep interest in defining and establishing their Relations with a *de facto* Government, to do so?

Such a proceeding on the part of Third Powers, undoubtedly does not decide the Question of Right against the Mother Country.

The Netherlands had thrown off the supremacy of Spain, long before the end of the Sixteenth Century; but that supremacy was not formally renounced by Spain till the Treaty of Westphalia in 1648. Portugal declared, in 1640, her Independence of the Spanish Monarchy; but it was not till 1668 that Spain, by Treaty, acknowledged that Independence.

During each of these intervals, the abstract Rights of Spain may be said to have remained unextinguished. But Third Powers did not, in either of these instances, wait the slow conviction of Spain, before they thought themselves warranted to establish direct relations, and even to contract intimate Alliances with the Republic of The United Netherlands, as well as with the new Monarchy of the House of Braganza.

The separation of the Spanish Colonies from Spain, has been neither our work, nor our wish. Events, in which the British Government had no participation, decided that separation,—a separation, which, we are still of opinion, might have been averted, if our counsels had been listened to in time. But, out of that separation, grew a state of things, to which it was the duty of the British Government (in proportion as it became the plain and legitimate interest of the Nation whose welfare is committed to its charge) to conform its measures, as well as its language, not hastily and precipitately, but with due deliberation and circumspection.

To continue to call that a Possession of Spain, in which all Spanish occupation and power had been actually extinguished and effaced, could render no practical service to the Mother Country;—but it would have risked the Peace of the World. For all Political Communities are responsible to other Political Communities for their conduct,—that is, they are bound to perform the ordinary international duties, and to afford redress for any violation of the Rights of others by their Citizens or Subjects.

Now, either the Mother Country must have continued responsible for acts, over which it could no longer exercise the shadow of a control; or the inhabitants of those Countries, whose independent political



existence was, in fact, established, but to whom the acknowledgment of that Independence was denied, must have been placed in a situation, in which they were either wholly irresponsible for all their actions, or were to be visited, for such of those actions as might furnish ground of complaint to other Nations, with the punishment due to Pirates and Outlaws.

If the former of these alternatives,—the total irresponsibility of unrecognised States,—be too absurd to be maintained; and if the latter,—the treatment of their inhabitants as pirates and outlaws,—be too monstrous to be applied, for an indefinite length of time, to a large portion of the habitable globe;—no other choice remained for Great Britain, or for any Country having intercourse with the Spanish American Provinces, but to recognise, in due time, their political existence as States, and thus to bring them within the pale of those rights and duties, which civilized Nations are bound mutually to respect, and are entitled reciprocally to claim from each other.

The example of the late Revolution in France, and of the ultimate happy restoration of His Majesty, Louis XVIII, is pleaded by M. Zea in illustration of the principle of unextinguishable right in a legitimate Sovereign; and of the respect to which that right is entitled from all Foreign Powers; and he calls upon Great Britain, in justice to Her own consistency, to act with the same reserve towards the New States of Spanish America, which She employed, so much to Her honour, towards Revolutionary France.

But can M. Zea need to be reminded, that every Power in Europe, and specifically Spain amongst the foremost, not only acknowledged the several successive Governments, *de facto*, by which the House of Bourbon was first expelled from the Throne of France, and afterwards kept for near a Quarter of a Century out of possession of it, but contracted intimate alliances with them all; and above all, with that which M. Zea justly describes as the strongest of *de facto* Governments,—the Government of Bonaparte; against whom, not any principle of respect for the rights of Legitimate Monarchy, but his own ungovernable ambition, finally brought combined Europe into the field?

There is no use in endeavouring to give a specious colouring to facts which are now the property of history.

The Undersigned is, therefore, compelled to add, that Great Britain herself cannot justly accept the praise which M. Zea is willing to ascribe to Her in this respect, nor can She claim to be altogether exempted from the general charge of having treated with the Powers of the French Revolution.

It is true, indeed,, that up to the year 1796, she abstained from treating with revolutionary France, long after other Powers of Europe had set her the example. But the reasons alleged in Parliament, and in State Papers, for that abstinence, was the unsettled state of the

French Government. And it cannot be denied that, both in 1796 and 1797, Great Britain opened a Negotiation for peace with the Directory of France; a Negotiation, the favourable conclusion of which would have implied a recognition of that form of Government:—that in 1801 She made peace with the Consulate: that, if in 1806 She did not conclude a Treaty with Bonaparte, Emperor of France, the Negotiation was broken off merely on a question of terms; and that if, from 1808 to 1814, she steadily refused to listen to any Overtures from France, she did so, declaredly and notoriously, on account of Spain alone, Whom Bonaparte pertinaciously refused to admit as Party to the Negotiation.

Nay, further, it cannot be denied that, even in 1814, the year in which the Bourbon Dynasty was eventually restored, Peace would have been made by Great Britain with Bonaparte, if he had not been unreasonable in his demands; and Spain cannot be ignorant that, even after Bonaparte was set aside, there was question among the Allies, of the possible expediency of placing some other than a Bourbon on the Throne of France.

The appeal, therefore, to the conduct of the Powers of Europe, and even to that of Great Britain herself, with respect to the French Revolution, does but recall abundant instances of the recognition of *de facto* Governments: by Great Britain, perhaps, later, and more reluctantly, than by others, but by Great Britain herself, however reluctant, after the example set to her by the other Powers of Europe, and specifically by Spain.

There are two other Points in M. Zea's Note, which appear to call for particular observation.

M. Zea declares, that The King of Spain will never recognise the New States of Spanish America, and that His Majesty will never cease to employ the force of arms against His rebellious Subjects in that Part of the World.

We have neither the pretension nor the desire to controul His Catholic Majesty's conduct:—but this declaration of M. Zea, comprises a complete justification of our conduct, in having taken the opportunity which, to us, seemed ripe for placing our relations with the New States of America on a definite footing. For this declaration plainly shows, that the complaint against us, is not merely as to the mode, or the time of our advances towards those States; it shows that the dispute between us and Spain, is not merely as to the question of fact, whether the internal condition of any of those States be such as to justify the entering into definite relations with them; that it was not merely a reasonable delay for the purpose of verifying contradictory Reports, and of affording opportunity for friendly Negotiation, that was required of us: it shows that no extent or forbearance on our part would have satisfied Spain, and that, defer our advances towards the New States as long as we might, we should still have had to make them

without the consent of Spain ; for that Spain is determined against all compromise, under any circumstances and at any time, and is resolved upon interminable War with Her late Colonies in America.

M. Zea concludes with declaring, that His Catholic Majesty will protest, in the most solemn manner, against the measures announced by the British Government, as violating existing Treaties, and the imprescriptible rights of the Throne of Spain.

Against what will Spain protest ?

It has been proved that no Treaties are violated by us ; and we admit that no question of Right is decided, by our recognition of the New States of America.

But if the argument on which this declaration is founded be true, it is eternal ; and the offence of which we are guilty, in placing our intercourse with those Countries under the protection of Treaties, is one, of which no time and no circumstances could, in the view of Spain, have mitigated the character.

Having thus entered, with great pain and unwillingness, into the several topics of M. Zea's Note, the Undersigned is directed, in conclusion, to express the anxious hope of his Government, that a discussion now wholly without object may be allowed here to close. The Undersigned is directed to declare to the Spanish Minister, that no feeling of ill-will, or even of indifference, to the interests of His Catholick Majesty, has prompted the steps which His Majesty's Government has taken,—that His Majesty still cherishes an anxious wish for the welfare of Spain,—and that His Majesty still retains the disposition, and commands the Undersigned, again to renew to His Catholick Majesty's Government the offer, to employ His Majesty's good offices, for the bringing about of any amicable Arrangement, which may yet be practicable, between His Catholick Majesty and the Countries of America which have separated themselves from Spain.

The Undersigned, &c.

*The Chevalier de Los Rios.*

GEORGE CANNING.

**TREATY of Commerce and Navigation between Sardinia and The Ottoman Porte.**—Signed at Constantinople, 25th of October, 1823.

Publication of the  
Sardinian Government.

(Translation.)

**NOTIFICAZIONE** con cui  
P. Eccmo. R. Ammiragliato d'ordine di S. M. Pubblica il  
Trattato conchiuso colla Sublime Porta, le Note dichiarative, e le determinazioni cui diedero luogo le stipulate convenzioni.

**NOTIFICATION** of the Most  
Excellent the Royal Admiralty,  
by order of the King, containing  
the Treaty concluded with The  
Sublime Porte, the Notes Declaratory,  
and the Resolutions occasioned by the Points agreed upon.

## L'AMMIRAGLIATO DI S. M.

Ad ognuno sia manifesto che tra S. S. R. M. il Re Nostro Signore, e la Sublime Porta siasi conchiuso e segnato in Costantinopoli il 25 Ottobre 1823, per mezzo de' Ministri a ciò specialmente deputati, un Trattato, stato poscia debitamente ratificato, col quale vengono fissati i diritti ed i rapporti de' rispettivi Sudditi, data una pubblica guarentigia allo scambievole loro commercio marittimo, e reso libero il passo nel Mar Nero alla Regia bandiera; e per mezzo della Regia Segreteria di Stato per gli affari esteri avendoci la M. S. fatto rimettere un esemplare autentico di detto Trattato insieme colle note dichiarative e le determinazioni cui diedero luogo le stabilite convenzioni, per essere ogni cosa riposta e custodita ne' Nostri Archivi, Ci ha ordinato di farne pubblicare le disposizioni con Nostra Notificazione.

In ubbidienza pertanto de' Sovrani comandi notificiamo al Pubblico che il Trattato, le Note e le Determinazioni suddette sono del tenor seguente :

IN DEI NOMINE, Amen.

Sua Maestà CARLO FELICE Re di Sardegna, Duca di Savoia e di Genova, ecc., ecc., Principe di Piemonte, ecc., ecc.; e Sua Maestà Imperiale il più grande dei Sultani, ed il più illustre de' Sovrani Ottomani, il Potentissimo Imperatore

## THE ADMIRALTY OF HIS MAJESTY.

BE it known to all, that between His Sacred Royal Majesty the King our Lord, and The Sublime Porte, there has been concluded and signed, at Constantinople, the 25th October, 1823, through the medium of Ministers specially deputed for that purpose, a Treaty, which was afterwards duly ratified, for establishing the Rights and Relations of the respective Subjects, for giving a public guarantee to the Maritime Commerce of both, and for throwing open the navigation of the Black Sea to the Royal Flag; and His Majesty having, through the Royal Secretary of State's Office for Foreign Affairs, caused to be communicated to us an authentic Copy of the said Treaty, together with Notes declaratory, and the resolutions occasioned by the Points agreed upon, in order to those Papers being lodged and kept in our Archives, has directed us to publish the provisions of the Treaty along with our Notification.

Accordingly, in obedience to the Sovereign commands, we make known to the Public that the Treaty, the Notes and the Resolutions, are of the tenor following :

IN THE NAME OF GOD, Amen.

His Majesty CHARLES FELIX, King of Sardinia, Duke of Savoy and of Genoa, &c. &c., Prince of Piedmont, &c. &c., and His Imperial Majesty, the greatest of the Sultans, and the Most Illustrious of Ottoman Sovereigns, the most



Ottomano, Monarca formidabile di moltissimi vasti Paesi, Sultan MAHMUD HAN Secondo, animati ugualmente dal desiderio di stabilire delle relazioni di pace e d'amicizia durevole fra di Esse, e de' loro Stati e Popoli rispettivi, come altresì di assicurare alli Sudditi delle due alte Parti Contraenti li vantaggi di un Commercio fondato su basi e principj reciprocamente utili, hanno giudicato a proposito di conchiudere un Trattato formale e definitivo di amicizia, di pace, di commercio e di navigazione, all' *instar* di quei che sussistono fra altre Potenze amiche:—E Sua Maestà il Re di Sardegna reclamato avendo la mediazione del suo amico ed alleato il Re del Regno Unito della Gran Bretagna ed Irlanda, ha nominato (col consenso della prefata Maestà Sua Britannica) qual suo Commissario e Plenipotenziario, cioè il Per-illustre ed Eccellentissimo Signore Percy Clinton Sydney, Lord, Visconte e Barone de Strangford, Pari del Regno d' Irlanda, Cavaliere Gran Croce dell' Ordine del Bagno, Cavaliere Gran Croce dell' Ordine Portoghese della Torre e Spada, e di varii altri; Membro dell' Onorevolissimo Consiglio Privato della prefata Maestà Sua il Re del Regno Unito suaccennato, e suo Ambasciatore Straordinario e Ministro Plenipotenziario presso la Sublime Porta Ottomana:—Sua Maestà Imperiale il Sultan MAHMUD HAN Secondo ha per parte sua nominati per suoi Commissarii e Plenipotenziarii, cioè li Per-illustrati Eccellentissimi Sig-

Puissant Ottoman Emperor, the formidable Monarch of a multitude of vast Countries, Sultan MAHMUD HAN the Second, equally animated by the desire of establishing lasting Relations of Peace and Amity between them, and their respective States and People, as also of ensuring to the Subjects of the two High Contracting Parties, the advantages of a Commerce, founded upon bases and principles reciprocally useful, have thought proper to conclude a formal and definitive Treaty of Amity, Peace, Commerce and Navigation, similar to those subsisting between other friendly Powers:—and His Majesty The King of Sardinia having claimed the Mediation of His Friend and Ally The King of the United Kingdom of Great Britain and Ireland, has appointed (with the consent of His said Britannic Majesty) as His Commissioner and Plenipotentiary, the Most Illustrious and Most Excellent, Percy Clinton Sydney, Lord, Viscount and Baron Strangford, Peer of the Kingdom of Ireland, Knight Grand Cross of the Order of the Bath, Knight Grand Cross of the Portuguese Order of the Tower and Sword, and of several others; Member of the Most Honourable Privy Council of His said Majesty the King of the United Kingdom above mentioned, and His Ambassador Extraordinary and Minister Plenipotentiary to The Sublime Ottoman Porte:—His Imperial Majesty the Sultan MAHMUD HAN the Second has, on His part, appointed as his Commissioners and

nori Mehmed Arif Bey Effendi, fu Cadi Asker della Rumelia, Mehmed Sadik Reis-Effendi, attualmente Gran Cancelliere dell' Impero, e Mehmed Seidà Effendi, Ministro Ispettore attuale dell' Artiglieria, i quali dopo essersi presentati e contraccambiati i loro pieni poteri rispettivi, trovati avendoli in buona e debita forma, e dopo d' aver conferito e discusso insieme, hanno conchiuso e stabilito e sottoscritto di comun accordo gli Articoli seguenti :

I. Sua Maestà il Re di Sardegna e la Sublime Porta Ottomana vengono di contrarre fra di loro amicizia nella stessa guisa in cui Essa Sublime Porta è legata colle altre Potenze.—Quindi è, che siccome esigono i rapporti dell' amicizia e della buona corrispondenza, i Negozianti, i Sudditi, ed i Bastimenti mercantili della prefata Maestà Sua verranno negli Stati dell' Impero Ottomano, frequenteranno questi Paesi, vi faranno il loro commercio colla maggior sicurezza e vi saranno protetti ed assistiti.

In contraccambio i Negozianti, Sudditi e Bastimenti mercantili della Sublime Porta frequenteranno gli Stati di Sua Maestà il Re di Sardegna con ogni maggior sicurezza, vi faranno il loro commercio e vi saranno protetti ed assistiti.

II. I Sudditi e Negozianti di entrambe le Parti pagheranno per dritto di Dogana sulle merci (ec-

Plenipotentiaries the Most Illustrious and Most Excellent Messieurs Mehmed Arif Bey Effendi, late Cadi Asker of Rumelia, Mehmed Sadik Reis-Effendi, actually Grand Chancellor of the Empire, and Mehmed Seidà Effendi, actual Minister Inspector of the Artillery, who, after producing and exchanging their respective Full Powers, which were found in good and due form, and after conferring and deliberating together, have concluded, settled, and signed, by common consent, the following Articles :

I. His Majesty The King of Sardinia, and The Sublime Ottoman Porte, contract with each other, Friendship, on the same terms that unite The Sublime Porte to other Powers. Accordingly, in compliance with the relations of amity and good intelligence, the Merchants, Subjects, and Merchant Vessels of His above-mentioned Majesty, may resort to the Dominions of The Ottoman Empire, sojourn in those Countries, and carry on their Commerce with the greatest safety in them, where they shall meet with protection and assistance.

In return, the Merchants, Subjects and Merchant Vessels of The Sublime Porte may resort to the Dominions of His Majesty the King of Sardinia, with the greatest safety, prosecute their commerce in them, and be sure to meet there with protection and assistance.

II. The Subjects and Merchants of both Parties shall pay, by way of Custom-house duty, on

celtuatene le merci proibite e di contrabbando) ch'eglino esporteranno ed importeranno, cioè i Negozianti Sardi sulla base del tre per cento come gli altri Europei; ed i Sudditi Negozianti Ottomani del pari a ragione del tre per cento, e non si esigerà da una parte o dall'altra niente di più.

III. Egli è permesso altresì ai Negozianti Sardi, come lo è agli altri Europei di prendere e di esportare, fra li prodotti della Turchia, quelle merci e quegli articoli, l'esportazione de' quali non è proibita, e de' quali non ha bisogno il Paese.

IV. Nelle parti dell'Impero Ottomano, laddove i Sudditi Sardi faranno il loro commercio, e dove la presenza d'un Console o Vice-Console sarà evidentemente necessaria per trattare i loro affari ed interessi, saranno stabiliti de' Consoli e Vice-Consoli, i quali saranno scelti fra i Sudditi delle Nazioni loro, ai quali saranno accordati gli opportuni diplomi e commandamenti contenenti il consueto dell'immunità e dei privilegi.

Del pari la Sublime Porta potrà, se ciò diviene necessario, stabilire in Sardegna dei *Schach-Bender*, ossia Consoli, e de' Vice-Consoli, i quali saranno distinti colla concessione che loro si farà di convenienti privilegi.

V. I *Schach-Bender* e Vice-Consoli della Sublime Porta, che risiederanno nelle città marittime della Sardegna, percepiranno i dritti di Consolato sulle merci

goods (from which are excepted, prohibited, and contraband goods) which they may export or import; that is to say, the Sardinian Merchants at the rate of 3 per cent. as other Europeans do, and the commercial Subjects of the Ottoman Porte, likewise, at the rate of 3 per cent.; and no further demand shall be made by either Nation.

III. It shall also be permitted to the Merchants of Sardinia, as it is to those of other European Countries, to purchase and export such goods and articles of Turkish produce as are not prohibited to be exported, and as are not wanted in the Country.

IV. In those parts of the Ottoman Empire in which the Sardinian Subjects shall prosecute their commerce, and in which the presence of a Consul or Vice-Consul shall obviously be requisite for the transaction of their business and concerns, there shall be appointed Consuls and Vice-Consuls, chosen from among the Subjects of their Nations, who shall be allowed the proper diplomas and grants, setting forth the usual exemptions and privileges.

In like manner it shall be lawful for the Sublime Porte, if necessary, to establish in Sardinia *Schach-Bender*, or Consuls, and Vice-Consuls, who shall have conceded to them suitable privileges.

V. The *Schach-Bender* and the Vice-Consuls of the Sublime Porte, residing in the seaport Towns of Sardinia, shall receive the Consular Duties, payable upon goods

de' Negozianti Ottomani, che i bastimenti mercantili della Sublime Porta vi trasporteranno e sbarcheranno, conformemente alla tariffa che loro sarà data; ed i negozianti Sardi pagheranno ai Consoli e Vice-Consoli di Sardegna i dritti di Consolato consueti per le mercanzie che avranno portate con bastimenti Sardi e sbarcate nelle Scale della Turchia.

VI. Qualora i sudditi Sardi visitar vorranno Gerusalemme, o qualche altro luogo dell' Ottomano Impero sia per divozione, ossia con intenzione di viaggiare, saranno muniti d' un Comandamento Imperiale affine di passare liberamente, e con sicurezza senza incontrare degli ostacoli ed affine di essere protetti ed assistiti.

VII. Se un suddito Sardo venisse a morire in Turchia, il Console residente nel luogo ove il Sardo sarà morto, s' impossesserà dei suoi beni affine di farli pervenire ai suoi eredi. E se mai non vi sarà Console in detto luogo, il Giudice del luogo farà l' inventario dei beni del defunto, e si spediranno con esattezza assieme coll' inventario da lui firmato, al Console che si troverà nel luogo il più vicino. Lo stesso precisamente si praticherà a riguardo de' sudditi della Sublime Porta, che morire potranno in Sardegna.

VIII. Quelle differenze, e quei processi che nasceranno fra i Sud-

of the Ottoman Merchants, imported into, and landed in them, by the trading Vessels of the Sublime Porte, conformably with the Tariff that will be furnished them; and the Sardinian Merchants shall pay to the Consuls and the Vice-Consuls of Sardinia the usual Consular Duties upon the merchandize imported by them into, and landed in, the Ports of Turkey, in Sardinian Vessels.

VI. Should Sardinian Subjects be inclined to visit Jerusalem, or any other Place of the Ottoman Empire, either from motives of devotion, or as travellers, they shall be furnished with an Imperial Firman, to enable them to proceed freely and safely, without encountering any obstruction, and to the end that they may receive protection and assistance.

VII. If any Sardinian Subject should happen to die in Turkey, the Consul residing in the Place in which the Sardinian shall have died, shall take possession of his effects with the view of having them conveyed to his heirs. And if there should be no Consul in the said Place, then the Judge of the same shall make out an inventory of the effects of the deceased, and they shall be carefully transmitted, along with the inventory signed by him, to the Consul that may be established in the nearest Place. Precisely the same conduct shall be pursued in regard to Subjects of the Sublime Porte, who may chance to die in Sardinia.

VIII. Any differences and lawsuits arising between Sardinian



**di Sardi, saranno esaminati e giudicati dai loro Ministri e Consoli: le differenze però ed i processi che nasceranno fra li Sudditi Sardi e Sudditi Ottomani, saranno giudicati in conformità delle leggi Turche in presenza d'un Dragomano Sardo. Ogni processo nel quale si tratterà di più di 4,000 Aspri sarà rimandato e rimesso a Costantinopoli, ove sarà giudicato secondo le leggi sante.**

**IX. I Sudditi Sardi, i quali verranno ne' Paesi Ottomani, si occuperanno tranquillamente de' loro affari commerciali, ed amenchè da loro sieno commessi de' delitti, non saranno eglino senza motivo molestati dalli Magistrati Turchi e dagli Officiali di Polizia. Se però de' Sudditi Sardi si rendessero colpevoli di qualche delitto, saranno eglino, col concorso del loro Ministro o Console, condannati a quelle pene e castighi, che avranno meritati, nell' istessa guisa, con cui si procede in casi simili contro gli altri Europei.**

**X. Allorchè s'incontreranno i vascelli di guerra delle due Potenze si daranno reciprocamente dei segni d'amicizia secondo le regole marittime, ed allorquando incontreranno de' bastimenti mercantili, sia dall' una o dall' altra parte saranno trattati di una maniera cortese ed amichevole. Arrivando ne' Porti, ed ai lidi degli Stati rispettivi, i bastimenti mercantili di ambe le parti si conformeranno alli regolamenti del Paese.**

**XI. Nel caso, che un Suddito Sardo abbracciasse l' Islamismo,**

**Subjects shall be heard and decided by their Ministers and Consuls; but differences and law-suits which shall take place between Sardinian and Ottoman Subjects shall be determined agreeably to the Turkish Laws, in the presence of a Sardinian Interpreter. Every process instituted for the recovery of upwards of 4,000 Aspers, shall be referred and transmitted to Constantinople, where it shall be judged according to the holy Laws.**

**IX. As the Sardinian Subjects resorting to the Ottoman Dominions will quietly pursue their commercial affairs, they shall not, unless guilty of Crimes, be molested without cause by the Turkish Magistrates and the Officers of the Police; if, however, Sardinian Subjects should be guilty of any crime, they shall be sentenced, with the concurrence of their Minister or Consul, to such punishments and chastisements, as they shall have deserved, and as, on similar occasions, are practised with respect to the other Europeans.**

**X. When Ships of War of the two Powers meet, they shall give to each other signs of friendship agreeably to the custom introduced at sea, and when Ships of War of either Party meet merchant Vessels, they shall treat them in a courteous and amicable manner. Upon arriving in the Ports, and off the Coasts of the respective States, the merchant Vessels of both Parties shall conform to the regulations of the Country.**

**XI. If any Sardinian Subject embrace the Mahometan religion,**

sara egli interrogato in presenza del Dragomano Sardo, e se si trovasse avere de' debiti incontestabili, la liquidazione di questi sarà regolata dalle sante leggi.

XII. I Consoli e Vice-Consoli di Sardegna negli Stati Ottomani, come altresì tutti i Sudditi Sardi che verranno per farvi il commercio, saranno esenti dal *Carazio*, dal *Baz* e dagli altri diritti di questo genere.

XIII. È convenuto, che i bastimenti mercantili Sardi, i quali verranno per trafficare in Turchia, navigheranno sotto la loro propria bandiera, e non prenderanno quella di un' altra Potenza; che il vessillo Sardo non sarà dato a dei bastimenti di altre Potenze, nè ai bastimenti Rayà; che il Ministro, e Consoli e Vice-Consoli di Sardegna non daranno delle Patenti ai Sudditi della Sublime Porta, nè li proteggeranno sia apertamente od occultamente, massime dalle quali non sarà permesso il dipartirsene.

XIV. Saranno accordati alli Ministri, ed ai Consoli di Sua Maestà il Re di Sardegna, i quali saranno destinati a risiedere presso la Sublime Porta, e negli Stati Ottomani, tutti quei privilegi, dritti ed immunità, che impone l' amicizia, e dei quali godono gli Agenti delle altre Potenze amiche. In reciprocità di che, e sull' istessa massima si accorderà ai Consoli e Vice-Consoli della Sublime Porta, che risiederanno in Sardegna gli stessi privilegi, dritti ed immunità.

XV. Firmato, e ratificato il

he shall be questioned in the presence of a Sardinian Interpreter, and if it appear that he has indisputable debts, the liquidation of them shall be settled by the holy Laws.

XII. The Consuls and Vice Consuls of Sardinia in the Ottoman Dominions, as also all Sardinian Subjects repairing thither in the way of business, shall be exempt from the *Carazio*, the *Baz*, and other duties of that kind.

XIII. It is stipulated, that the Sardinian merchant Vessels resorting to Turkey for traffick, shall sail under their own Flag, without employing that of any other Power; that the Sardinian Standard shall not be given to Vessels of other Powers, nor to Rayà Vessels; that the Ministers and the Consuls and Vice Consuls of Sardinia shall grant no Passports to Subjects of the Sublime Porte, and that they shall not protect them, either openly or secretly; which rules shall not be permitted to be set aside.

XIV. There shall be allowed to the Ministers and the Consuls of His Majesty the King of Sardinia, appointed to reside with the Sublime Porte, and in the Ottoman Dominions, all the Privileges, Rights and Immunities required by friendship, and enjoyed by the Agents of other Powers. In reciprocity of which, and on the same principle, the Consuls and Vice-Consuls of the Sublime Porte, residing in Sardinia shall have allowed them the same Privileges, Rights and Immunities.

XV. After the signature and

presente Trattato d' amicizia e di commercio da ambe le parti, lungi dal permettere che vi sia apportata contravvenzione alcuna, sarà egli accuratamente osservato, e per sempre eseguito.

Il presente Atto, sarà tanto da parte di Sua Maestà il Re di Sardegna, quanto da quella di Sua Maestà l'Imperatore degli Ottomani, confermato e ratificato per mezzo di ratifiche solenni scritte e firmate secondo il consueto, le quali saranno contraccambiate in Costantinopoli nello spazio di mesi quattro, ed anche più presto, se fare si potrà, a contare dal giorno della conclusione di quest' Atto, del quale i Plenipotenziarj rispettivi hanno fatto due esemplari di ugual contenuto, gli hanno firmati di loro proprio pugno, sigillati col loro suggello, e fra di loro contraccambiati.

Fatto a Costantinopoli addì 26 del mese d' Ottobre, 1823.

STRANGFORD.

Noi Ambasciatore Straordinario, e Ministro Plenipotenziario per Sua Maestà il Re della Gran Bretagna presso la Porta Ottomana, e Plenipotenziario di Sua Maestà il Re di Sardegna Delegato alla conclusione d' un Trattato d' amicizia e di commercio fra Essa Sua Maestà e la Sublime Porta Ottomana,

Attestimo e dichiariamo a chiunque spetta, qualmente la qui copia, è genuina ed esatta copia del Trattato conchiusosi il 25 Ottobre dell' anno corrente fra Sua Maestà il Re di Sardegna, e la

ratification of the present Treaty of Friendship and Commerce by both Parties, it shall not only not be permitted to be contravened in any manner whatever, but shall be strictly observed and for ever fulfilled.

The present Act shall, as well on the part of His Majesty the King of Sardinia, as on that of His Majesty the Emperor of the Ottomans, be confirmed and ratified by means of solemn Ratifications, written and signed as usual, which shall be exchanged in Constantinople within four months, and even sooner, if possible, to compute from the day of the conclusion of this Act, of which the respective Plenipotentiaries have made out two Copies, of the like contents, have signed them with their own hands, sealed them with their seals, and mutually exchanged them.

Done in Constantinople the 25th October, 1823.

STRANGFORD.

We, the Ambassador Extraordinary and Minister Plenipotentiary of His Majesty the King of Great Britain near the Ottoman Porte, and Plenipotentiary of His Majesty the King of Sardinia, nominated to conclude a Treaty of Friendship and Commerce between His Sardinian Majesty and the Sublime Ottoman Porte,

Certify and declare to whomsoever it concerns, that the above is a genuine and exact Copy of the Treaty concluded on the 25th October of the present year, between His Majesty the King of

Sublime Porta Ottomana, consistente in un preambolo, quindici Articoli ed in una conclusione, il quale nel giorno suddetto è stato da Noi e dagli Ministri Plenipotenziarj Ottomani sottoscritto, e fra di Noi in due atti unisoni contraccambiato.

In fede di che, ecc.

STRANGFORD.

Il Cambio delle ratifiche del presente Trattato nelle rispettive lingue è stato solennemente fatto in Costantinopoli tra i Plenipotenziarj delle due alte Potenze contraenti il dì 27 del mese di Aprile del passato Anno, 1824, corrispondente alla fine della Luna di *Chaaban* dell' anno dell' *Egira* 1239.

Sardinia and the Sublime Ottoman Porte, consisting in a preamble, fifteen Articles, and a conclusion, which on the day just mentioned was signed by us and by the Ministers Plenipotentiary of the Ottoman Porte, and in two uniform Copies exchanged between us.

In witness whereof, &c.

STRANGFORD.

The solemn exchange of the Ratifications of the present Treaty in the respective languages, took place in Constantinople, between the Plenipotentiaries of the two High Contracting Powers, on the 27th of April of the past Year, 1824, answering to the end of the Moon of *Chaban* of the year of the *Hegira* 1239.

*Lord Strangford to The Count De la Tour.*

LE Soussigné, Ambassadeur Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, et Plénipotentiaire de Sa Majesté le Roi de Sardaigne près la Sublime Porte Ottomane, a l'honneur d'informer Son Excellence Monsieur le Comte De la Tour, Ministre d'Etat et des Relations Extérieures de Sa dite Majesté Sarde, que simultanément avec la signature du Traité d'amitié, de commerce et de navigation, conclu aujourd'hui entre la Cour Royale de Turin et Sa Majesté Impériale le Sultan Mahmoud II, la Sublime Porte a formellement accordé au Pavillon Sarde, par un Acte émané *ad hoc*, le libre passage à la *Mer Noire*, ainsi qu'il est accordé à d'autres Pavillons, sous la condition expresse que les bâtimens de propriété Sarde, renonceraient à la pratique d'emprunter un Pavillon étranger pour naviguer dans la dite Mer.

Le Soussigné a l'honneur d'offrir à Son Excellence, &c.

Constantinople, le 25 Octobre, 1823.

STRANGFORD.

*Lord Strangford to The Comte De la Tour.*

LE Soussigné, Ambassadeur Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, et Plénipotentiaire de Sa Majesté le Roi de Sardaigne près la Sublime Porte Ottomane, a l'honneur d'informer Son Excellence Monsieur le Comte de la Tour, Ministre d'Etat et des Relations Extérieures de Sa dite Majesté Sarde, que par une Déclaration officielle, adressée aujourd'hui au Soussigné, le Gouver-



vernemente Ottomano a formalmente riconosciuto che tout objet quelconque de propriété Ottomane importé dans les États de Sardaigne, sera assujétti dans l'intérieur des dits États au paiement des mêmes droits et impôts, qui sont ou qui seront perçus sur les objets de la propriété des sujets des autres Puissances qui ont des Traités de Commerce avec la Cour Royale de Turin.

Le Soussigné a l'honneur d'offrir à Son Excellence, &c.

Constantinople, le 24 Août, 1824.

STRANGFORD.

Per maggiore intelligenza del contenuto della Nota surriferita, si fa noto ;

Che il Bastimento Ottomano sarà quello munito di un *Berat* della Sublime Porta, il cui Capitano ed i due terzi dell' equipaggio saranno Musulmani, e che sarà munito despedizioni d' un Console Sardo, ovvero in difetto di questi d' un Console Franco residente nello Scalo da dove sarà spedito il Bastimento ; e la proprietà Ottomana dovrà essere certificata da un *Teskere* Turco, e da un certificato del Console Sardo dello Scalo o Porto di partenza.

The better to understand the contents of the above Note, be it known :

That an Ottoman Vessel shall be understood as such, when furnished by The Sublime Porte with a *Berat*, when the Captain and two thirds of the Crew are Musulmans and when she is provided with clearances by a Sardinian Consul, or if there be none, by some Frank Consul resident in the place whence the Vessel has cleared out ; and that she is Ottoman property must be certified by means of a Turkish *Teskere*, as well as by a Certificate from the Sardinian Consul in the Port of her departure.

NOTIFICAZIONE DELL' AMMIRAGLIATO DI S. M.

In seguito del Trattato felicemente conchiuso tra S. M., e la Sublime Porta, e giusta il disposto dai Regolamenti generali di Marina, l' Ammiragliato avvisa i Naviganti Sudditi di S. M. di non impegnarsi in qualsiasi qualità a bordo di legni stranieri diretti per gli scali del Levante, o per i porti del Mar Nero, giacchè non ne sarà loro dato il permesso, meno in casi urgenti e straordinari ; rimanendo inoltre rivate le licenze che furono concesse, ed assegnato

NOTIFICATION OF THE ADMIRALTY OF HIS MAJESTY.

In consequence of the Treaty happily concluded between H. M. and The Sublime Porte, and pursuant to the provisions of the general Regulations of the Navy, the Admiralty informs the seafaring Subjects of H. M. that they must not engage themselves in any capacity whatever, on board Foreign Vessels bound to the Ports either of the Levant or of the Black Sea, as they will be refused the requisite permission, except in urgent and extraordinary cases ;

I termine di sei mesi per il ritorno in patria di quei che se ne trovassero provvisti. I Capitani, Padroni, e Marinari, che clandestinamente vi si imbarcassero, o non cessassero di navigarvi nel termine sovra prescritto, saranno arrestati, e sottoposti ad una pena di carcere, che potrà estendersi sino ad un anno.

Per la vendita nei predetti scali e porti dei bastimenti coperti della Regia bandiera, a favore di esteri individui, dovrà per mezzo dell' Autorità Consolare richiedersene il permesso, che in ogni caso non sarà concesso, che colla condizione, che nè il Capitano, né veruno dello equipaggio possa continuare a navigare sul legno venduto, e che sia provvisto alle spese del ritorno in patria dei marinari nazionali. I contravventori saranno puniti con una ammenda estensibile sino al valore del Bastimento, e repetibile in solidum dal Capitano, proprietario, o compartecipi del legno venduto.

Genova addì 20 Gennajo 1825.

*Il Generale, Ministro di Stato,  
Presidente Capo dell' Ammiragliato,  
CONTE DES-GENEYS.  
G. COLLA, Secretario.*

Mandiamo riporsi e custodirsi negli Archivi Nostri l' esemplare autentico del suddetto Trattato e delle note dichiarative, e determinazioni, cui diedero luogo le stabilite convenzioni; pubblicarsi ed

and, further, that the licences which had been granted, are called in, and a period of six months, fixed for those persons furnished with any to return home. Captains, Masters, and Sailors, who shall clandestinely embark in them, or not terminate their navigation in those Seas within the period just prescribed, shall be arrested and subjected to a penalty of confinement, which may extend to the space of one year.

As for the sale, in the above Ports, of Vessels navigating under the Royal Flag, to Foreigners, it shall be necessary to obtain, through the Consular Authority, permission to that effect, which shall in no case be granted, except on condition, that neither the Captain, nor any of the Crew, shall be allowed to embark in the Vessel so sold, and that provision be made for the expences incurred by native Sailors in returning to their Country. Transgressors shall be compelled to pay a fine which may amount to the cost of the Vessel, and which it shall be lawful to exact, either from the Captain, the Owner, or any of the Parties interested in the Vessel sold.

Genoa, 20th January 1825.

*The General, Minister of State,  
and President of the Admiralty.  
COUNT DES-GENEYS.  
G. COLLA, Secretary.*

We order the authentic Copy of the above Treaty, of the Notes declaratory, and of the Resolutions occasioned by the points agreed upon, to be lodged and kept in our Archives, and the pre-

affiggersi a' luoghi e modi soliti la presente Notificanza, affinché sia da tutti conosciuta, e possano i Negozianti e Naviganti Nazionali adempire religiosamente quanto venne stipulato a proprio loro vantaggio, ed elle Copie stampate nella Stamperia della Regia Marina in Genova, prestarsi la stessa fede quanto all' Originale.

Genova, li 20 Gennajo 1825.

*Per l' Ecc. R. Ammiragliato.*

G. COLLA, *Secretario.*

sent Notification to be published and affixed in the usual places, and customary manner, that it may become known to all, and that the native merchants and mariners may conscientiously fulfil what has been stipulated for their own benefit, as also give the same credit to the Copies printed in the printing office of the Royal Navy in Genoa, as to the Original.

Genoa, 20th January, 1825.

*By Command of the Royal Admiralty.*

G. COLLA, *Secretary.*

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**CONVENTION of Commerce and Navigation between Prussia and Russia.—Signed at Berlin, <sup>27th Feb.</sup> 11th March, 1825.**

Au Nom de la très Sainte et Indivisible Trinité.

L'ACTE Additionnel du 4 Décembre 1818, n'ayant plus force de loi, Sa Majesté le Roi de Prusse, et Sa Majesté l'Empereur de toutes les Russies, Roi de Pologne, sincèrement animés du désir de mettre à exécution les dispositions du Traité de Vienne du <sup>3 Mai,</sup> 21 Avril, 1815, relatives à la Navigation et au Commerce, et d'en faire ressentir les effets salutaires à Leurs Sujets respectifs, en y apportant les modifications mutuellement consenties, ont nommé pour Leurs Plénipotentiaires, savoir :

Sa Majesté le Roi de Prusse, le Sieur Chrétien Gonthier, Comte de Bernstorff, Son Ministre d'Etat, du Cabinet et des Affaires Étrangères, Chevalier des Grands Ordres de l'Aigle Noire et de l'Aigle Rouge de Prusse ; de ceux de St. André, de St. Alexandre-Newsky et de Ste. Anne de la Première Classe, de Russie ; Grand-Croix de l'Ordre Royal de St. Etienne de Hongrie ; Grand-Cordon de la Légion d'Honneur de France ; Grand-Collier de l'Ordre de la Toison d'Or, et Grand-Croix de l'Ordre de Charles III. d'Espagne ; Chevalier de l'Ordre de l'Eléphant et Grand-Croix de l'Ordre de Dannebrog, de Danemark ; Grand -Croix de l'Ordre de St. Ferdinand et du Mérite de Sicile ; Chevalier de l'Ordre Suprême de l'Annonciade de Sardaigne ; Grand-Croix des Ordres du Lion d'Or de la Hesse Electorale, et du Mérite de la Hesse Grand-Ducale ; de ceux de la Fidélité et de Zaehringue de Bade, et du Faucon Blanc de Saxe-Weimar ; et Sa Majesté l'Empereur de toutes les Russies, Roi de Pologne, le Sieur Paul, Baron de Mohrenheim, Son Chambellan et Conseiller d'Etat actuel, en Mission Extraordinaire et spéciale près Sa Majesté le Roi de Prusse, Chevalier des Ordres de St. Stanislas de la Première Classe,

de Pologne, de St. Wladimir de la Troisième Classe, de Russie, de l'Aigle Rouge de la Seconde Classe, en diamans, de Prusse, Commandeur de celui de Léopold d'Autriche :—lesquels sont convenus des Articles suivans :

ART. I. Les Sujets Prussiens, en Russie et en Pologne, ainsi que les Sujets Russes et Polonais en Prusse, seront constamment considérés et traités dans leurs relations de commerce, à l'égal des Sujets indigènes. Il est entendu que les Sujets Prussiens en Russie et en Pologne, ainsi que les Sujets Russes et Polonais en Prusse, se soumettront aux Lois et aux Réglemens commerciaux du Pays.

II. Dans tous les cas où les Sujets des deux Hautes Parties Contractantes trouveraient avantageux de vendre leurs marchandises dans les Villes de l'autre domination, à quelqu'un qui ne serait pas Bourgeois des dites Villes, ils seront obligés de se servir de l'entremise d'un Négociant Bourgeois, conformément aux Lois et aux Réglemens commerciaux en vigueur.

III. Les droits d'entrepôt, de rompre-charges, d'étapes et autres droits et privilèges onéreux de pareille nature actuellement abolis dans les Villes et Ports des deux dominations, ne peuvent pas être rétablis à la charge des Sujets respectifs.

IV. Pour ce qui concerne la navigation des fleuves et rivières dans les Etats respectifs, le flottage, l'usage des chemins de hallage, des écluses et canaux, tant de ceux qui existent déjà, que de ceux qui pourraient être construits à l'avenir ; les Sujets de l'une des deux Hautes Parties Contractantes seront traités dans les Etats de l'autre, exactement sur le même pied que les indigènes.

V. La navigation de la Vistule, du Niemen et de leurs affluens est déclarée libre de droits. Ceux à percevoir au passage des canaux, ponts, écluses et autres constructions de cette nature, seront affichés dans les lieux de perception.

VI. Il sera réciproquement libre aux bateliers d'importer, francs de droits, sur leurs embarcations, les approvisionnement nécessaires pour l'entretien de l'équipage. A l'entrée des Etats respectifs des deux Gouvernemens, le patron du bâtiment exhibera une déclaration spéciale de ceux de ses approvisionnement qui sont sujets à imposition. On comptera par jour pour chaque homme de l'équipage, deux livres de pain ou de gruau, ou bien un trente-deuxième de boisseau de lentilles ou de fèves, un demi-quart de livre de viande séchée ou fumée.

On ajoutera au tems requis pour le voyage et le retour du bâtiment, un espace de tems de trois semaines pour son séjour au lieu de sa destination. Révision faite, un double de cette déclaration sera délivré au Patron du bâtiment, pour lui servir de légitimation, tant au lieu de sa destination que pendant la route.

VII. Les deux Hautes Parties Contractantes reconnaissent toutes l'étendue des avantages qu'assurerait l'adoption du principe d'un com-



merce parfaitement libre, et qui, dans aucune de ses branches, ne serait frappé de droits équivalens à des prohibitions. Des circonstances impérieuses s'opposant néanmoins à l'application immédiate et complète de ce principe salulaire, les deux Puissances, pour ne laisser aucun doute sur Leurs intentions bienveillantes, sont convenues des dispositions énoncées dans les Articles ci-après.

VIII. Les Gouvernemens respectifs se réservent de statuer, chacun selon le système qui régit son commerce, sur ce qui concerne l'exportation, par les frontières qui séparent Leurs Etats. S'il arrivait cependant que l'exportation d'une marchandise ou denrée, permise aujourd'hui, fut prohibée par la suite, ou imposée d'un droit plus haut, on aura égard d'après le principe d'une stricte équité aux contrats, qui auraient été passés en bonne et due forme entre les Sujets respectifs, antérieurement à cette prohibition ou à la nouvelle augmentation de droit.

IX. Quant à l'importation, le commerce des Etats des deux Hautes Parties Contractantes sera traité d'après les dispositions générales des tarifs respectivement en vigueur pendant la durée de la présente Convention. Ne pourront être invoquées les Stipulations spéciales énoncées dans les Conventions particulières, conclues ou à conclure de part et d'autre avec une Puissance Etrangère.

X. Les bleds de Russie et de Pologne, importés par la Vistule et le Niemen, ne seront grévés que des droits suivans à acquitter à leur entrée :

(a) Par boisseau (Scheffel) mesure de Berlin, soit de froment, soit de légumes secs ou autres grains non spécifiés au §. suivant, *b*, pour consommation et transit : 2 Silbergr. ou quatre écus par Last (60 Scheff.)

(b) Par boisseau (Scheffel) même mesure, de seigle, orge et avoine, en transit seulement  $\frac{1}{2}$  Silbergr. ou un écu par Last (60 Scheffel.)

Les grains sub (a) pourront être débités par Last pour la consommation dans l'intérieur, sans autre redevance ni imposition quelconque, soit directe, soit indirecte, au profit du fisc, depuis les points de déclaration de Thorn et de Schmalleninken, dans toutes les Villes sur la Vistule et le Niemen, jusque et y compris les Ports de Danzig, Elbing, Königsberg, et Memel.

S'ils entrent dans la Brahe, ils seront soumis aux droits généraux de consommation, déduction faite de ce qui aura été payé à leur entrée dans la Vistule.

Les grains sub (b) ne pourront être vendus, dans la traversée indiquée ci-dessus et les quatre ports susmentionnés, qu'en autant que les droits généraux de consommation en auront été acquittés, soit à la frontière soit à une douane intérieure (Steueramt,) le seul cas de réexportation excepté. Les propriétaires de ce bled seront tenus à déposer caution, soit en argent, soit en effets valables, pour la différence entre les droits de consommation et ceux de transit, caution qui leur sera restituée

aussitôt que ces bleds auront été consignées ou vendus à un Négociant Bourgeois, qui dans ce cas répondra uniquement au Gouvernement, ou de leur réexportation, ou de l'acquittement des droits de consommation.

XI. L'on acquittera pour les bleds importés par tout autre point de la frontière Prussienne, les droits généraux du Tariff Prussien en vigueur pendant la durée de la présente Convention pour les Sept Provinces Orientales.

De même il sera payé pour les bleds importés de Prusse en Russie et en Pologne, les droits généraux des Tarifs Russe et Polonais.

Dans le Royaume de Pologne les droits sur les bleds Prussiens n'excederont pas ceux, qui seront acquittés en Prusse pour les bleds Polonais.

XII. En Russie les douanes de Jourbourg et de Polangen sont déclarées douanes de première classe et autorisées à recevoir et à expédier tous les objets dont l'importation n'est ou ne sera pas généralement prohibée par les Tarifs en vigueur, à l'exception du rum, de l'arac ou rac, des eaux de vie, des draps, demidraps et casimirs. L'importation des marchandises non prohibées généralement se fera au même taux et sous Les mêmes conditions que les lois du pays établissent pour l'importation de ces marchandises dans les Ports de la Baltique. Si quelque nouvelle prohibition générale devait avoir lieu dans l'Empire de Russie, il est entendu qu'elle serait applicable aux douanes de Jourbourg et de Polangen.

XIII. Entre La Prusse et le Royaume de Pologne seront établies les douanes de première classe (Haupt-Zollämter) dont la liste suit :

<i>En Prusse.</i>	<i>En Pologne.</i>	<i>En Prusse.</i>	<i>En Pologne.</i>
Schmalleninken	Kucharskini	Strzalkowo	Slupce
Stallupohnen	Wirballen	Pogorzellice	Peisern
Johannisbourg	Kollno	Podkoje pres.	
Neidenbourg	Mlawa	Skalmierzyce	Kalisz
	{ Leibitsch polonais Nieszawa Sluzewo	Podciomze	Wieruszow
Thorn		Landsberg	Pronska

XIV. Les douanes de première classe dans le Royaume de Pologne seront autorisées à laisser entrer tous les objets dont l'importation n'est ou ne sera pas généralement prohibée par les Tarifs du dit Royaume.

XV. Les Autorités Administratives des Gouvernemens respectifs s'entendront dans l'intervalle de trois mois, à compter du jour de l'échange des Ratifications de la présente Convention, sur l'établissement d'un nombre suffisant de douanes de seconde classe, sur les frontières de Prusse et de Pologne. Les deux Gouvernemens se réservent de donner à ces douanes des attributions propres à faciliter le petit trafic, et nommément le trafic journalier des lieux limitrophes.

On exceptera dans cette vue de tout droit d'entrée et de consom.

mation les objets suivans : herbage, foin, paille, légumes frais, chicorée fraîche, (rohe Cichorien) raves et navets, volaille et menu gibier frais de toute espèce, poissons frais, oeufs et lait, bois de chauffage voituré, bois non ouvré du pays non destiné à être embarqué, rammilles et balais, osiers, joncs ou roseaux, sable, argile, marne, tourbe, fruits frais.

XVI. De même on facilitera autant que possible les communications entre les habitans respectifs de la frontière entre La Prusse et La Pologne, qui sont dans le cas de se rendre pour affaires, ou pour visiter les foires, sur le territoire de l'autre Etat. Les ponts et chemins vicinaux reconnus nécessaires seront, à cet effet, mis en bon état et entretenus avec le soin requis.

Le Gouvernement Prussien et le Gouvernement Polonais se réservent néanmoins de convenir d'un règlement de police administrative, qui déterminera ces relations, ainsi que les communications des habitans des propriétés coupées par la frontière, de manière à prévenir tout abus.

XVII. Toutes les marchandises qui seront importées en Prusse par la Frontière Orientale, depuis la mer Baltique près Memel jusqu'à et y compris la Vistule, pour être exportées par les ports de Danzig, Elbing, Königsberg et Memel, ou qui seront importées par ces ports pour être exportées par la dite Frontière Orientale, seront uniquement soumises aux droits établis dans le Tarif ci-annexé en Langue Allemande.

XVIII. Toutes les marchandises importées par les Frontières Orientales de La Prusse, depuis et non compris la Vistule jusqu'au territoire de la Ville libre de Cracovie, pour être exportés par les frontières maritimes et occidentales, et *vice versa*, ne seront passibles au maximum que des droits de transit fixés par le Tarif général du 29 Décembre 1824.

Les objets qui se trouvent soumis au taux général d'un demi écu par quintal brut seront seuls exceptés de cette stipulation.

XIX. Le transit par le Royaume de Pologne restera entièrement libre et exempt de droits, dans toutes les directions établies ou à établir, soit que les objets de commerce traversent ce pays pour rentrer en Prusse, ou qu'ils soient dirigés vers d'autres points des frontières Polonaises.

XX. Les Gouvernemens de Prusse, de Russie et de Pologne, se réservent d'adopter les mesures convenables pour empêcher que les objets déclarés en transit ne soient débités pour la consommation.

XXI. Quant au transit sur la route de Brody à Odessa, les dispositions de l'Oucase du 14. Août 1818, restent en vigueur.

XXII. Afin que les Consuls et Agens commerciaux des Puissances respectives puissent veiller à l'exécution de la présente Convention, ils leur sera désigné l'autorité avec laquelle ils se trouveront en rapport, dans les lieux de leur résidence, et qui sera chargée d'accueillir les réclamations, qu'en vertu de leurs attributions ils lui adresseroient.

XXIII. La durée de la présente Convention est fixée à Neuf Ans, à

partir de l'époque de l'échange des Ratifications. Six mois avant l'expiration de ce terme les deux Hautes Parties Contractantes conviendront de sa prolongation, s'il y a lieu. Il est entendu que dans le cas contraire on ne s'en tiendra pas moins aux principes qui ont présidé aux stipulations du Traité signé à Vienne le <sup>3. Mai</sup> 21. Avril 1815, relatives à la Navigation et au Commerce.

XXIV. La présente Convention sera ratifiée et les Ratifications en seront échangées dans l'espace de six semaines, ou plutôt si faire se peut.

Fait et signée à Berlin le <sup>11. Mars</sup> 27. Février 1825.

Le COMTE DE BERNSTORFF.

Le BARON DE MOHRENHEIM.

[Cette Convention a été ratifiée et les Ratifications en ont été échangées le 17. Avril 1825.]

***SPEECH of the Minister of Finance to the Russian Council of Credit, 27th July, 1825.***

*Discours prononcé par M. le Ministre des Finances, au Conseil des Etablissements de Crédit, dans la Séance du 27 Juillet, lors de la présentation des Comptes desdits Etablissements, pour l'Année, 1824.*

MESSIEURS,

C'EST aujourd'hui pour la troisième fois, que j'ai l'honneur de présenter à votre examen les Comptes relatifs aux opérations de nos Etablissements de crédit.

Mais avant d'entrer dans le détail de ces Comptes pour l'Année, 1824, je crois nécessaire de vous offrir quelques considérations générales.

Le change de notre bourse et l'agio de la monnaie métallique contre nos billets de Banque, ont démontré par expérience, que la suspension temporaire de l'amortissement des assignats, qui avoit été décidée de votre consentement, n'a eu aucune conséquence défavorable et que cette monnaie représentative s'est maintenue à sa valeur, sans préjudice pour l'Etat et sans augmenter la somme de nos dettes, portant intérêts.

Un inconvénient, dont vous aviez, Messieurs, reconnu l'existence depuis longtemps, et qui résulloit de l'accumulation des capitaux oisifs dans nos Banques, a disparu par suite de la nouvelle organisation qui vient d'être donnée à la Banque d'emprunts. Dès la fin de 1824, il a été fait un pas important vers cette mesure, dont l'exécution s'est poursuivie avec activité dans le courant de l'Année présente, de façon que la Banque d'emprunts, a distribué en 1824 et 1825 en prêts sur hypothèque, une somme de 52 millions, y compris 16 millions qui ont été transférés de la Banque de Commerce à celle d'emprunts, faute d'un emploi suffisant dans la première. Ces capitaux ayant ainsi reçu



la destination qui leur avoit été assignée par le Manifeste Impérial du 4 Juin, 1824, sont devenus productifs, non-seulement pour la Banque, mais encore pour l'industrie intérieure. De plus, comme les dépôts confiés à cette Banque dépassent constamment les demandes des emprunteurs, l'écoulement ainsi préparé à ses capitaux, prévient toute accumulation nouvelle.

L'état général des affaires de crédit en Europe, l'exactitude scrupuleuse que la Commission d'amortissement met dans tous ses paiements et le système d'économie qui préside aux dépenses de l'Etat, ont simultanément contribué à maintenir nos fonds au taux élevé, où ils sont parvenus. Il s'en est suivi toutefois que la somme excédante d'environ 6 millions de roubles, antérieurement destinée à être brûlée dans le courant de 1824, n'a pu être appliquée à l'amortissement de notre dette, tant à cause de la petite quantité de fonds rachetables qui a été produite, que pour ne pas donner lieu à une hausse artificielle de ces fonds en cherchant à accélérer les rachats. C'est par cette raison que le trésor a gardé ce résidu ainsi que plusieurs autres sommes, excédant l'amortissement ordinaire ; et notamment le surplus des sommes qui devoient servir à effectuer des remboursements extraordinaires à la Banque d'emprunts, laquelle à cette époque se trouvoit déjà encombrée de capitaux sans emploi. Le montant de ces sommes diverses, ainsi qu'il paroît d'après les comptes, s'élève à environ 10 millions de roubles, et j'aurai l'honneur, Messieurs, de vous soumettre cet objet par la suite, avec tout le détail convenable. D'ailleurs, vous-mêmes avez reconnu la nécessité de régler l'action de l'amortissement sur la mesure de son utilité, lorsqu'après un mûr examen et d'un accord unanime, vous adoptâtes pour l'Année 1825, une décision que S. M. l'Empereur daigna confirmer depuis, et d'après laquelle il fut résolu que les opérations du rachat ne s'étendroient point au-delà des quotités radicales, assignées au fonds d'amortissement sur les divers emprunts, et que les sommes excédantes, dérivant des sources indiquées ci-dessus, seroient employées au soulagement du trésor, en forme de dette ne portant intérêt, jusqu'à ce qu'une nouvelle disposition ait été prise à cet égard. Cette mesure importante et indispensable doit être suivie, je n'en doute point, des résultats les plus avantageux ; attendu que toute hausse violente des fonds, toujours inséparable d'un amortissement outre mesure auroit non-seulement affaibli l'action du capital destiné à ces rachats, mais auroit même augmenté la masse de nos dettes, si ce n'est en raison de leurs quantités nominales, du moins relativement au temps et aux sommes qu'il eût fallu pour les amortir. Sans m'étendre d'avantage sur cet objet, qui se rattache à l'examen des comptes pour l'Année 1825, je n'ajouterai plus qu'une seule observation ; c'est que la solidité du crédit national, si désirable sous tous les rapports, est basée, ainsi que le public lui-même en est sans doute convaincu, d'une part sur l'exactitude du paiement des intérêts, accompagnée d'une action pro-

portionnée de l'amortissement, et d'une autre sur le maintien constant d'un système de stricte économie financière. On reconnoîtra de même qu'une tension excessive de tous les moyens pour faire hausser les fonds, amène la nécessité de nouveaux emprunts, ressource que l'on devrait toujours réserver pour des circonstances extraordinaires, et dont notre Gouvernement ne sent pas aujourd'hui le besoin.

La réduction de la rente, que quelques Gouvernemens de l'Europe ont entreprise, de même que la conversion facultative des rentes, offerte en France aux créanciers de l'Etat, sont des événemens qui méritent de notre part une attention particulière. Quoiqu'il soit impossible de se former dès à présent une opinion décisive sur les conséquences de ces opérations, vu leur nouveauté, on peut conclure néanmoins qu'elles ne sauroient d'aucune manière occasionner de baisse dans nos fonds. Au reste, Messieurs, je vous prie d'être pleinement convaincus, que le Ministère des Finances, toujours attentif au mouvement des affaires de crédit en Europe, ne manquera pas de coordonner son activité, avec la marche des événemens; et si par la suite quelques mesures spéciales venoient à être jugées nécessaires, elles seront soumises dans leur temps à vos délibérations ultérieures.

Je passe actuellement à une exposition abrégée des Comptes en question.

*Commission d'amortissement.*—Depuis le 1<sup>er</sup> Janvier, 1824, la dette Hollandaise consistoit en : 93,600,000 fl. dont 47,600,000 à la charge de La Russie.

*Dettes intérieurs à terme.*—3,026,000 rbls. en arg. blanc. 31,162,466 rbls. 67 cop, en assig.

*Dettes à rentes perpétuelles de 6 p.Ct. d'intérêt* —20,620 rbls. en or. 8,831,112 rbls. 93½ cop. en arg. blanc. 229,465,611 rbls. en assig.

Dans ce nombre sont comprises des dettes non amortissables pour une valeur de 2,120 rbls. en or. 37,292 rbls. 93½ cop. en arg. bl. 37,893,111 rbls. en assig.

Les dettes à rentes perpétuelles de 5 p.Ct. d'intérêt, étoient de, 79,677,200 rbls. en arg. blanc.

Dans le courant de l'Année 1824, il a été acquitté de dettes à terme :

*Dette Hollandaise.*—1,000,000 fl. dont 500,000 pour le compte de La Russie.

*Autres dettes.*—338,000 rbls. en arg. bl. 3,626,466 rbls. 67 cop. en assig.

*Il a été racheté* de dettes à rentes perpétuelles de 6 pCt. 338,700 rbls. en arg. bl. et 4,407,500 rbls. en assig.

*De dettes portant 5 pCt. d'intérêt.*—2,200,700 rbls. en arg. blanc.

Ont été converties pour une valeur de 20,000 rbls. en assig. des dettes à rentes perpétuelles, en dettes non soumises à l'amortissement.

En outre, conformément aux statuts de la commission d'amortissement, ont été convertis dans la même Année en rentes de 6 p.Ct. pour l'acquit de dettes, qu'avoit contractées le Ministère de la Guerre antérieurement à l'Année, 1816, à mesure de leur liquidation.

49,400 rbls. en argent blanc. 1,038,300 rbls. en assig. bien entendu qu'une partie de ces dettes a été remboursée en numéraire, sans qu'il ait été délivré au préalable des billets de la commission. Ces payemens se sont élevés à : 7,856 rbls. 52½ cop. en argent blanc. 750,730 rbls. 88½ cop. en assig.

Ainsi la Dette Publique à l'ouverture de l'Année, 1825, comprenoit :

*Dette Hollandaise.*—92,600,000 fl. dont. 47,100,000 fl. pour le compte de La Russie.

*Dettes intérieures à terme.*—2,688,000 rbls. en argent blanc, 27,536,000 rbls. en assig.

*Dettes à Rentes Perpétuelles de 6 p.Ct.*—20,620 rbls. en or. 8,491,812 rbls. 93½ cop. en arg. bl. 226,096,411 rbls. en assig.

*Dettes non amortissables, comprises dans les nombres précédens.*—2,520 rbls. en or. 37,292 rbls. 93½ cop. en arg. bl. 37,913,111 rbls. en assig.

*Dettes à Rentes Perpétuelles de 5 p.Ct.*—77,476,500 rbls. en argent blanc.

L'Année passée, j'eus l'honneur d'informer le Conseil que les Comptes relatifs au dernier Emprunt de Rothschild, n'étoient pas terminés, et la Commission d'amortissement ne peut encore vous en présenter le tableau définitif. Mais je me fais un devoir de vous prévenir, Messieurs, qu'aucune partie des capitaux restant du produit de cet emprunt, n'a été détournée à l'usage du Trésor, et que les sommes non encore perçues, sont réservées à des payemens que nous devons effectuer dans l'étranger, ainsi que j'ai déjà eu, Messieurs, occasion de vous l'expliquer. Elles passent en conséquence du Trésor de l'Empire à la Caisse d'amortissement, pour y être ajoutées au Fonds de réserve, dont il vous sera rendu en son temps, un Compte exact. Il est à regretter que ce Fond reste jusqu'à présent en grande partie inactif; et ce qui le retient principalement dans cet état d'immobilité, est la crainte de déprécier le cours de nos lettres de change, en forçant l'amortissement de nos Dettes étrangères. Le Ministère des Finances ne manquera cependant pas, si l'occasion s'en présente, de tirer de ces ressources, toute l'utilité compatible avec les circonstances.

*Banque des Assignations.*—La masse des Billets de Banque qui se trouvoit en circulation, n'a subi aucun changement dans le courant de 1824, et elle étoit au 1<sup>er</sup> Janvier de l'Année présente, comme par le passé, de 595,776,310 rbls.

*Banque d'Emprunts.*—Pendant l'Année 1824, cette Banque a reçu en dépôts portant intérêt, la somme de 27,805,193 rbls. 27½ cop. en assig.

Les dépôts restitués s'y sont élevés à 9,235 rbls. 13 cop. en argent blanc. 28,528,163 rbls. 24½ cop. en assig.

Il a été acquitté en intérêts sur les dépôts restitués, y compris les intérêts que les créanciers de la Banque n'ont pas voulu toucher, à l'échéance du terme annuel: 604 rbls. 88 cop. en or. 4073 rbls. 5 cop. en argent blanc. 5,426,884 rbls. 43½ cop. en assig.

Ont été donnés en prêts à différens termes: 263,734 rbls. 99 cop. en arg. bl. 26,143,095 rbls. 20½ cop. en assig.

Y compris depuis la publication du nouveau règlement à dater du 1<sup>er</sup> Juillet: 263,734 rbls. 99 cop. en arg. bl. 24,300,466 rbls. 35 cop. en assig.

Les primes attachées aux prêts du terme de 24 Ans, forment: 176 rbls. en argent blanc. 144,227 rbls. en assig.

Le 1<sup>er</sup> Janvier, 1824, se trouvoient inscrits sur les registres d'assurance de la Banque, 74 maisons, pour une somme de 1,142,000 rbls.

Dans le courant de l'Année, ont été assurées 79 autres maisons pour un capital de 4,363,200 rbls.

Ont été rayées de la liste, 35 maisons assurées pour: 441,000 rbls.

Ainsi, le 1<sup>er</sup> Janvier, 1825, il y avoit 118 maisons, assurées pour la somme de 5,064,200 rbls.

Le profit net acquis par la Banque dans le courant de l'Année, 1824, est de: 1337 rbls. 2 cop. en or. 35,853 rbls. 86½ cop. en argent blanc. 868,409 rbls. 86½ cop. en assig.

*Banque de Commerce.*—Les dépôts confiés à la Banque de Commerce et à ses comptoirs, formoient en 1824 avec les Sommes restantes de 1823, les quantités suivantes:

*Sommes destinées au transfert.*—23,962 rbls. 83 cop. en or. 686,179 rbls. 38 cop. en arg. bl. 56,152,201 rbls. 64 cop. en assig.

*Dépôts portant Intérêt.*—1,532,946 rbls. en or. 5,238,098 rbls. 41 cop. en argent bl. 116,392,949 rbls. 2 cop. en assig.

En tout y compris le Capital de la Banque 1,556,908 rbls. 83 cop. en or. 5,924,277 rbls. 79 cop. en argent bl. 202,545,150 rbls. 66 cop. en assig.

Il a été rendu sur les dépôts destinés au transfert: 23,962 rbls. 83 cop. en or. 686,165 rbls. 83 cop. en argent bl. 55,892,710 rbls. 21 cop. en assig.

Les transferts d'une ville à l'autre ont été de 78,084,221 rbls. 62 cop.

On a remboursé sur les dépôts portant intérêts: 294,950 rbls. en or. 1,282,396 rbls. 43 cop. en argent bl. 49,400,408 rbls. 79 cop. en assig.

Il a été employé à l'escompte des lettres de change, y compris celles qui ont été escomptées en 1823, et dont l'échéance étoit fixée à l'Année 1824, une somme de 133,945,766 rbls. 49 cop.



Il a été prêté sur dépôts en marchandises : 8,785,540 rbls. 41 cop.  
Sur dépôts en monnaie de cuivre : 8,000,000 rbls.

A l'égard de ce dernier dépôt, je dois vous faire observer Messieurs, que malgré mon assurance précédente, lorsque je vous disois que le Trésor ne se trouvoit point dans le cas de recourir à de nouveaux Emprunts, parce que les revenus et les dépenses de l'Etat présentent aujourd'hui l'équilibre désiré; néanmoins une accumulation imprévue de monnaie de cuivre dans les différentes Caisses de l'intérieur, sans moyen de lui procurer un écoulement suffisant, a placé le Ministère des Finances dans la nécessité de prendre, avec l'autorisation de S. M. l'Empereur, une mesure qui pût remédier à cet inconvénient. On s'est donc arrangé avec la Banque de Commerce, pour qu'elle prêtât 8 millions en assign. sur une somme de même valeur en cuivre, et à condition de lui rembourser son avance, à mesure que la monnaie de cuivre sera remise en circulation. En attendant, la Banque touchera les intérêts de ce capital.

Ont été délivrés pour l'escompte des billets du lombard 7,400,000 rbls.

L'escompte a été continuée sur des obligations du Département de la Trésorerie pour le montant de 20,000,000 rbls. reçus en 1823.

De plus 100,000 rbls. délivrés pour l'escompte des obligations du Trésor et remboursés dans le courant de l'Année même.

Parmi les lettres de change protestées, il en restoit au commencement de l'Année, 1825, pour une valeur de 1,999,324 rbls. 42 cop. qui n'avoient pas été acquittées tant à la Banque que dans ses comptoirs.

La Banque, déduction faite de toutes les dépenses, a eu un gain net de 249,395 rbls. 98 c.

L'ensemble des viremens opérés par les caisses de la Banque et de ses comptoirs, forme un total de 789,192,259 rbls. 82 c. en assign. 12,472,110 rbls. 9 c. en numéraire.

Je me flatte que les circonstances et les vues ci-dessus exposées, de même que les Tableaux des Comptes, offerts à votre examen, serviront à affermir en vous, Messieurs, aussi bien que dans le Public, la persuasion que, grâce à la sollicitude tutélaire de notre Auguste Monarque pour le bonheur de Son Empire, notre crédit s'affermir et s'étend de plus en plus, que nos établissemens de crédit se trouvent dans une situation florissante, et que l'administration de cette partie, se conformant toujours aux temps, aux conjonctures et à l'expérience, n'a d'autre but que de veiller aux intérêts de l'Etat, et de maintenir tout ensemble, une parfaite justice dans ses rapports avec les particuliers qui nous confient leurs capitaux.

***SPEECH of The Emperor of Russia, on the Opening of the Diet of Poland.—Warsaw, 13th May, 1825.***

*Représentans du Royaume de Pologne!*

LORSQUE je me séparai de vous, il y a quatre Ans, des événemens déplorables avoient produit en Europe une agitation générale, qui menaçoit le bien-être de toutes les Nations. J'ai voulu laisser aux idées le tems de se fixer, et aux passions, celui de s'amortir. Votre troisième réunion a été différée, mais ce retard aura, j'en suis certain, préparé le succès de vos travaux, et c'est avec un vrai plaisir, avec tous les sentimens d'affection dont je vous ai donné tant de preuves, que je me trouve encore une fois au milieu de vous.

Dans l'intervalle qui s'est écoulé depuis la dernière Diète, fidèle à mes devoirs et aux résolutions que je vous ai manifestées, dès que j'ai aperçu des germes de désorganisation, je me suis opposé à leur développement. Pour consolider mon ouvrage, pour en garantir la durée, pour vous en assurer la jouissance paisible, j'ai ajouté un Article à la Loi Fondamentale du Royaume. Cette mesure qui prévient toute nécessité d'influencer les choix des diétines et vos délibérations, atteste l'intérêt que je prends à l'affermissement des institutions qui vous régissent. Elle n'a pas eu d'autre but, et j'ai la ferme confiance que les Polonais sauront l'apprécier.

Mon Ministre de l'Intérieur vous tracera le tableau de la situation du Royaume et des opérations administratives accomplies depuis quatre Ans. Vous jouirez des progrès rapides de l'industrie, et vous reconnoîtrez, que si la prospérité publique n'a pas encore atteint le degré vers lequel la portent, et mes desirs et la sollicitude du Gouvernement, on n'en peut chercher la cause que dans la stagnation dont avoit été frappé, dans presque tous les Pays, le commerce des produits agricoles.

Sous d'autres rapports, de grands résultats ont été obtenus.

La Dette Nationale touche à son appurement définitif.

Deux Traités ont fixé la portion de cette Dette qui retombe sur L'Autriche et sur La Prusse.

Bientôt une nouvelle Loi de Finances pourra déterminer tous les revenus et toutes les charges de l'Etat.

Un déficit ruineux avoit compromis vos intérêts les plus chers. Il a disparu. L'excédant des recettes sera scrupuleusement appliqué à l'amortissement de la Dette Nationale.

Les Négociations ouvertes avec la Cour de Berlin, pour régler les relations commerciales entre La Pologne et La Prusse, ont été couronnées du plus heureux succès, par une suite de ces dispositions franches et mutuellement conciliantes qui forment la base la plus précieuse de mes rapports avec mes Alliés. La Convention que je viens de ratifier, ouvre des débouchés faciles à votre commerce extérieur. Quant à celui que vous entretenez avec La Russie, il acquiert tous les jours plus d'activité et d'étendue. Les facilités sur lesquelles il se fonde, sont doublement

utiles par le bien-être réciproque dont elles favorisent les progrès, et par les nouveaux liens qu'elles cimentent entre les deux Nations.

Les dettes qui pèsent sur les propriétés privées ont attiré mon attention spéciale. Un projet d'association solidaire entre les propriétaires fonciers, vous sera présenté. Il est le résultat de nombreuses discussions et des opinions émises par vos Conseils Palatinaux.

La religion, cette source de toutes les vertus, cette base indispensable de toutes les institutions humaines, semble appeler la révision d'une partie de votre Code Civil. Une Commission choisie dans votre sein, a concouru à cet important travail. Le projet du 1er livre discuté par elle, va vous être communiqué.

Ma pensée vous accompagnera dans l'exercice de vos fonctions. Vous me trouverez prêt à accueillir les améliorations qui me seront proposées, mais aussi résolu, de repousser toute concession contraire à votre bonheur.

Représentans du Royaume de Pologne! libres de toute influence, délibérez avec calme. L'avenir de votre Patrie est entre vos mains. Ne considérez que son bien, que ses vrais avantages; rendez-lui tous les services qu'elle attend de votre réunion, et secondez-moi dans l'accomplissement des vœux que je n'ai cessé de former pour Elle.

*SPEECH of the Minister of the Interior, of the Kingdom of Poland, on the Opening of the Diet.—Warsaw, 13th May, 1825.*

Des motifs impérieux ont fait différer la convocation de l'Assemblée Nationale; mais si, comme tout porte à l'espérer, des Lois d'une utilité réelle et générale sont les résultats de ses présentes délibérations, le temps écoulé sans action, ne restera point sans utilité; et cette Session deviendra d'autant plus marquante, qu'elle aura été plus tardive. Le résumé des opérations des diverses branches du Pouvoir Exécutif, et l'exposé de la situation du Royaume, retraceront donc cette fois un intervalle plus long dans un cadre relativement plus étroit: cependant ce tableau, pour être plus concis, n'en sera pas moins exact. Il est juste de rappeler, qu'à côté des observations et des vœux exprimés par la Législature précédente, aucune réclamation n'a été dirigée contre les détails présentés dans le compte qui lui avait été rendu; car les faits ne se contestent pas. Aujourd'hui, dans la pleine jouissance d'une paix profonde, sous le Gouvernement d'un Prince qui veut tout vérifier par Lui-même, de qui la puissance n'a pas besoin du secours des déceptions, et dont l'intérêt évident, d'accord avec le pur penchant de son cœur, se trouve tout entier dans la sécurité et dans le bien-être des nombreux Peuples soumis à Sa domination; je reproduirai avec fidélité la suite du même tableau, sans taire comme sans exagérer le

bien qui a été fait ; sans nier le mal, et sans dissimuler les motifs qui ont pu prolonger sa durée.

### *Cultes et Instruction Publique.*

En conséquence d'un Décret Royal qui prescrit quelque changemens à l'organisation du Ministère des Cultes et de l'Instruction Publique, une section ecclésiastique y a été ajoutée, à l'effet de soigner plus directement les intérêts du Clergé Catholique romain et de surveiller sa discipline intérieure, notamment celle des ordres religieux. Les limites de plusieurs paroisses ont subi une circonscription différente, et le nombre croissant des fabricans professant la religion réformée, a exigé une création de seize paroisses nouvelles ; quelques maisons ont été construites pour l'exercice de ce Culte et pour loger ses Pasteurs. Celui des Juifs a été plus convenablement réglé par la suppression des Sanhédrins et par l'établissement de 327 inspections de Synagogues.

Les réparations les plus urgentes ont été faites aux Eglises : une nouvelle Cathédrale est construite à Suwalki. Les réglemens concernant la conversion des dîmes en une prestation d'argent, ont été mieux précisés. Sur 4,599 conventions relatives à cet objet, 2,590 sont ratifiées : les autres exigent quelques rectifications. Les biens-fonds provenant des congrégations supprimées ont été vérifiés et affermés à longs baux. Un million 126,553 florins sont employés pour solder les dettes de ces congrégations.

Durant les 4 Années de 1820 à 1824, les fonds alloués à l'instruction publique, ont rapporté six millions 536,509 florins, et la subvention prélevée sur les élèves des écoles publiques a produit 895,734 florins ; cette dernière somme a servi à rétribuer les Maîtres de Classes temporaires, et en outre à l'acquisition de livres, d'instrumens de physique et de mathématiques, de collections d'histoire naturelle, à l'usage des écoles.

On a construit dans la Cour de l'Université deux vastes bâtimens, destinés aux cabinets des Beaux-arts, de Zoologie, de Physique, et aux Réunions Académiques. L'Observatoire est achevé et pourvu d'excellents instrumens astronomiques, exécutés par Reichenbach. A côté de cet édifice, le jardin botanique peut être honorablement cité parmi ceux qui se distinguent en Europe, soit à cause de sa situation avantageuse, soit à cause du nombre des plantes qu'il renferme et qui sont déjà portées à plus de 10,000 espèces. La Bibliothèque de l'Université constamment ouverte au Public, augmente tous les jours, et se compose actuellement d'environ 150,000 volumes, parmi lesquels se trouvent des ouvrages rares et précieux. La collection zoologique, compte environ 25,000, celle des gravures près de 100,000 pièces. Les cabinets de physique, de minéralogie, des modèles, de médecine, systématiquement ordonnés, s'agrandissent successivement. Une Imprimerie et des presses lithographiques sont établies auprès de l'Univer-



sité. L'examen et l'adoption des Elèves de classes, ainsi que des candidats au Professorat et des maîtres de pensions particulières, est confié à une Société élémentaire. L'Université s'est enrichie d'un cours théorique et pratique de construction des ponts et chaussées, d'un institut de clinique, d'un autre d'accouchement et d'une école normale où se forment des professeurs : il est heureux de pouvoir remarquer, que la plus grande partie des chaires vacantes a déjà été remplie par des Polonais qui ont perfectionné leurs études dans l'étranger, aux frais du Gouvernement. L'institution des sourds-muets a obtenu des fonds pour l'entretien de 12 élèves pauvres, qui s'y exercent à divers métiers. Des écoles de dimanche pour les enfans des artisans, sont ouvertes dans plusieurs villes du Royaume. Un costume uniforme a été prescrit pour tous les écoliers.

Il est à regretter que l'insuffisance des fonds dont le Gouvernement peut disposer, et la pénurie actuelle des cultivateurs, aient concouru à ralentir parmi ceux-ci l'extension de cette instruction primaire, qui, sans les dégoûter de leur carrière, leur donne des lumières utiles pour y trouver le bien-être et le bonheur. Là se trouve et se borne la véritable dette de la Société ; car on ne saurait le dissimuler : une instruction libérale et plus étendue, offerte au pauvre, sans pouvoir lui préparer un avenir analogue, deviendrait pour lui un piège et une calamité. Elle lui enseignerait des jouissances qu'il ne peut obtenir ; elle éveillerait des désirs qu'il ne saurait satisfaire ; elle verserait dans son sein les amers poisons de l'envie et de la haine. Alors, naît et grandit ce mécontentement de sa destinée, cette vague tendance à essayer de tous les états sans fixité dans aucun ; et déjà, l'on pourrait voir dès l'enfance de l'homme, s'amasser les orages qui dans un âge plus avancé devront ébranler ou renverser les institutions sociales. Si donc un semblable éveil donné aux mouvemens passionnés d'une jeune génération, doit long-temps retentir, s'il présente quelque explication du passé, il est utile d'y puiser des avis pour l'avenir.

Aussi les circonstances ont nécessité quelques modifications dans le plan des études et dans le système scolaire. Une inspection générale a été organisée à l'effet de surveiller spécialement la conduite et la morale religieuse des étudiants. Ces mesures doivent provoquer de bonne heure le discernement qui apprécie les lumières sans les éteindre, et les consolide sur la base inflexible des bonnes mœurs. Eh ! lorsque l'esprit humain marche isolé, qui saurait prévoir ses diverses phases, tantôt brillantes, tantôt obscures, ou la durée de leurs impressions passagères ! Qui pourrait assigner dans l'avenir ses doctrines ou ses déviations nouvelles ! Mais si les vœux des hommes se croisent et s'égarerent, la civilisation appuyée sur la morale poursuit à travers les temps et les obstacles sa marche progressive, se détournant et s'arrêtant à peine quelques momens, aux écarts de la licence, aux clameurs des préjugés, ou aux froissemens de l'ambition. Ainsi, le développement

successif des études sociales présente toujours aux yeux de l'observateur, un vaste et magnifique spectacle. Si l'esprit de l'homme, comme on l'a dit, n'avance qu'en spirale, ses progrès et sa tendance n'en sont pas moins réels. Soit qu'il marche avec le temps et l'ordre, sur la ligne qui le rapproche du séjour de la lumière et de la liberté, soit qu'avec ses tumultueuses passions, il se précipite sur la courbe qui se replie dans les ténèbres, ses incessantes agitations, ses longs jours d'infortune et ses instans de félicité, ses nobles desseins comme ses vains efforts, l'avertissent du moins et lui attestent également, qu'il est un but, auquel la bonté de l'Etre suprême lui a donné d'aspirer ; qu'elle lui a permis de pressentir ici bas ; mais qu'une autre et future existence, lui laissera comprendre, atteindre et embrasser.

La censure générale des écrits étrangers et nationaux a été attribuée à ce Ministère, sous la surveillance immédiate du Conseiller d'Etat Directeur de l'instruction Publique.

#### JUSTICE.

Le Ministère de la Justice a exercé son influence constitutionnelle sur les Tribunaux, en surveillant et régularisant de plus en plus l'ordre des procédures, et en présentant aux fonctions judiciaires des candidats, dont la capacité avait été éprouvée par un exercice antérieur, ou reconnue à la suite des examens que la Loi a prescrit. En conséquence d'un Décret Royal, des Inspecteurs nommés par le Prince Lieutenant, ont en 1821 effectué une revue générale de toutes les Magistratures, conformément à une instruction que le Ministère avait rédigée à cette occasion. Cette mesure a produit une action uniforme dans les Tribunaux Civils et Criminels, dans les prisons, dans les archives des actes anciens, dans les chancelleries des conservateurs d'hypothèques, des notaires et des défenseurs judiciaires : il en est aussi résulté qu'aucune cause pendante aux Tribunaux Civils ne peut plus s'y arrêter, mais que toutes doivent être résolues dans la huitaine de leur enregistrement. De même pour accélérer les opérations du Tribunal d'Appel, chargé dans les causes criminelles des attributions de la Cour de Cassation, le Prince Lieutenant, sur la proposition du Ministère de la Justice, a créé une quatrième Section de ce Tribunal qui, depuis le 1er Octobre 1822, est en pleine fonction. La troisième Section du Tribunal Civil de Mazovie a été renforcée de plusieurs Membres, à l'effet de s'occuper uniquement de l'expédition des causes nombreuses, concernant les successions litigieuses civiles et pupillaires, arriérées sous le régime Prussien, et dont l'accumulation menaçait les parties intéressées d'une longue attente, et d'une très-tardive résolution.

Dans les quatre Années qui se sont écoulées jusqu'à 1824, 15,908 Causes ont été terminées en conciliation de justices de paix. Il a été assemblé 9,565 conseils de famille ; les Tribunaux Civils d'Appel et de Commerce ont expédié 155,639 procès. Ceux de Police Correctionnelle et les Cours de Justice Criminelle ont rendu 120,022 sentences.

Sur 23 condamnés qui ont eu recours à la Clémence Royale, 12 ont obtenu une commutation de peine; 284 Fonctionnaires accusés de malversations ou d'abus de pouvoir, ont été mis en jugement. Une attention particulière, a été accordée par le Ministère à la régularisation des caisses de dépôts judiciaires, à l'effet de faire jouir enfin les propriétaires, à mesure de leur légitimation, des fonds qui leur appartiennent de droit, et qu'à la suite des désordres occasionnés par la guerre, ils attendaient depuis long-temps. En conséquence, les caisses des dépôts de tous les Tribunaux Civils, ont délivré dans le cours des 4 Années, de 1820 à 1824, soit en numéraire, soit en valeurs actives, pour environ 19 millions de florins de Pologne. Les comptes de tous les Tribunaux ont aussi été appurés. Conformément à la Loi concernant les hypothèques, leur règlement a été continué suivant l'ordre prescrit; il est achevé dans les Palatinats de Kalisz, de Plock, de Masovie, d'Augustow, de Podlachie, de Lublin, de Sandomir, et se termine cette Année dans celui de Cracovie.

Un Décret Royal avait en 1820, chargé un Comité, de la tâche difficile de préparer les modifications au Code Civil que les circonstances réclament. Cet ouvrage, fruit de ses méditations pendant 4 Années, discuté et adopté au Conseil d'Etat, va être soumis aux délibérations et à l'acceptation des Chambres.

#### INTERIEUR.

Vive mais calme, l'action administrative, sans se ralentir durant ces dernières Années, ne se serait laissée apercevoir que par les progrès de l'ordre général, si ses soins avaient pu suffire, pour assurer la prospérité nationale et détruire les obstacles, que celle ci avait à combattre. Mais chez nous, comme presque dans toute l'Europe, les efforts de la propriété foncière sont restés sans résultat et sans récompense. Cette base de notre édifice social fléchit et voit chaque Année augmenter son effrayante dépréciation. Et c'est environné des dons de la nature, c'est au milieu de ses récoltes inutilement entassées, que le cultivateur gémit de sa détresse, et voit l'abondance accroître ses misères. Non-seulement le prix de ses denrées est tellement avili, qu'il est bien loin de couvrir celui de ses sueurs et les frais de son exploitation, mais encore, il ne peut s'en défaire même pour une chétive valeur. Cependant les charges publiques et particulières pèsent toujours de plus en plus sur lui: il faut satisfaire à la fois au fisc, aux créanciers, aux besoins de l'entretien, tous également inexorables.

Diverses causes ont dû amener cette situation décourageante et prolongée. La sécurité que donne la paix, les perfectionnemens de l'agriculture; l'emploi des machines qui simplifient et centuplent le travail; une suite de récoltes heureuses; l'extension d'ailleurs si bienfaisante et la culture des pommes de terre, récent et commun aliment du riche et du pauvre, des hommes et des animaux; celle du système prohibitif, arme devenue défensive, quoique essentiellement hostile, dont les

réactions infinies ne pourront être neutralisées, que lorsque toutes les Nations seront convenues de la briser. Mais ces causes et d'autres peut-être encore, prouvent déjà par leur simple énumération, qu'il n'a pas été au pouvoir du Gouvernement de les écarter.

Sans doute tous les obstacles tomberont devant l'accroissement graduel et général de la population, qui suit les subsistances, et qui doit nécessairement les dépasser un jour. Alors, elle restituera à la terre sa véritable valeur, que nulle autre même n'atteindra. Le recensement de 1823 a porté la nôtre à 3,704,306 têtes: c'est depuis 1819, une augmentation d'environ 100,000 têtes par an. Toutefois il s'écoulera bien du tems avant que la population ne soit parvenue à contrebalancer les effets de l'abondance. En attendant, il faut chercher à alléger le fardeau qu'on ne peut supprimer.

Le travail est le plus puissant auxiliaire de la prospérité comme de l'ordre public. C'est un devoir, c'est une grande habileté des Gouvernemens, d'en faciliter les moyens. Repoussons l'oisiveté, nous aurons banni à la fois l'ignorance et la misère: tous les délits de la société viennent de là. Le travail éveille l'industrie, comme il est réciproquement alimenté par elle. Il s'associe aux lumières qui le fécondent: ensemble ils font éviter les voies auparavant inaperçues qui mènent au vice: ils rendent la vertu savante, la bienfaisance ingénieuse, les hommes meilleurs, la société paisible et heureuse. Aussi l'Administration du Royaume a-t-elle essayé, autant que ses ressources le permettoient, de créer des travaux variés pour assurer divers genres de reproduction, ouvrir des voies nouvelles à l'échange et au débit des denrées, et du moins faciliter ainsi quelque peu, les moins d'acquitter les contributions, puisqu'il n'étoit pas encore permis de les réduire.

Déjà la construction des routes ferrées est achevée sur un espace de 66 milles d'Allemagne. Celle de Varsovie aux frontières de la Prusse, sera terminée dans le courant de cette Année et offrira sur cette seule ligne qui traverse tout la largeur du Royaume, depuis *Kalisz* jusqu'à *Brzesc*, 60 milles d'une communication non interrompue, également parfaite dans toutes les saisons; épargnant désormais au voyageur les sables dans lesquels il étoit obligé de se traîner péniblement, lui abrégeant ainsi les distances et les rendant bien moins coûteuses, puisque les relais de poste aussi bien que les rouliers, y emploient actuellement moitié moins de chevaux qu'auparavant. Des messageries commodas et même élégantes y roulent, ainsi que dans toutes les parties du Royaume, avec célérité et à bon marché. Cependant les péages aux barrières tels qu'ils sont établis suivant les réglemens actuels, ne suffisent point à l'entretien des routes ferrées, déjà ouvertes à la circulation; et à cet effet il sera nécessaire ou d'élever ces péages, ou de trouver un autre fonds plus fructueux, pour y suppléer; puisqu'il est indispensable que la prestation en numéraire qui a remplacé les corvées, puisse être entièrement employée à la confection



de routes nouvelles. Tous les abords de la Capitale à la distance de deux milles présentent également de belles chaussées ferrées, qui ont effacé jusqu'au souvenir des chemins difficiles et fangeux, qui naguères s'y reproduisoient dans chaque arrière-saison. On a construit des parties de routes, dans les Palatinats de Cracovie, de Lublin, de Plock, et d'Augustow, comme aussi 523 ponts; parmi lesquels celui de Zlotorya, réunissant sur la Narew les limites de l'Empire et du Royaume, l'a été aux frais communs des deux Gouvernemens. Des maisons servant à loger les conducteurs et employés, bâties à des distances égales sur les routes, leur ajoutent un air de vie et de gaïeté. Les chemins vicinaux et de roulage n'ont pas été négligés : ils sont tous dans un état constamment viable.

Le nivellement et l'arpentage des deux bords de la Vistule a été terminé dans toute la longueur de son cours. Les plans en sont levés par sections, depuis la frontière de Prusse jusqu'à celle de la ville libre de Cracovie. Le curage de ce fleuve est exécuté dans l'espace de 16 milles, de Nieszawa à Plock. Des digues solides ont arrêté ses empiètemens dans les Palatinats de Sandomir, de Plock et de Mazovie. D'autres rivières, telles que la Warta, Bzura, Pilica, Nida, Wieprz, Radomka, ont été curées; et par ce moyen leurs eaux rendues en partie à la navigation, comme leurs bords à la culture. On creuse un canal de navigation, qui joindra la Narew au Niemen.

L'expérience a prouvé, particulièrement dans notre Pays peu riche en capitaux, que pour y introduire une branche d'industrie utile et encore inconnue, les premiers frais d'établissement et les premiers sacrifices doivent être faits par le Gouvernement. Ces établissemens n'attirent des acquéreurs que plus tard, et lorsqu'ils sont reconnus en pleine activité. Alors leur maintien, confié à l'intérêt privé, est garanti pour l'avenir, et sert de modèle à d'autres entreprises semblables. L'administration de l'intérieur, obligée d'agir conformément à ce principe et exposée par conséquent à l'incertitude des succès, qui en dépit des calculs les plus exacts, dépendent toujours en grande partie du hazard, a dû plus d'une fois lutter contre de nombreux accidens, courir de chances inquiétantes, et se voir livrée, ainsi que cela a lieu partout, aux jugemens éphémères de la légèreté, ou même aux accusations de la malveillance. Persévérant, sous les auspices d'un équitable et sévère contrôle de la surveillance Souveraine, elle est parvenue à pouvoir certifier, que de nombreuses manufactures, inconnues auparavant, ont acquis une extension considérable dans le Royaume, qu'elles ont suppléé en partie à la perte des anciens profits de notre agriculture, qu'elles ont désormais éveillé des projets, des entreprises et des espérances nouvelles; et cela presque généralement sans frustrer le Gouvernement des fonds qu'il a assignés à cet effet, et en garantissant au contraire leurs rentrées successives.

Ainsi notre Pays a cessé d'être tributaire de l'étranger dans

plusieurs relations majeures. Les manufactures de drap surtout, non-seulement suffisent à tous les besoins de l'intérieur, mais elles en exportent considérablement au dehors. Les grands établissemens en ce genre de *Fränkel*, de *Harrer*, de *Rephahn*, et bientôt celui de *Fiedler*, ne le cèdent à aucun autre pour la perfection des machines et du travail, pour la finesse et l'apprêt des produits. Une observation constante témoigne que notre sol est singulièrement favorable au prompt affinement des laines : leur rapide consommation propage les troupeaux améliorés dans toutes nos Provinces. Plus de dix mille familles de fabricans étrangers peuplent et animent des villes toutes nouvelles. Des mécaniques à filer la laine peignée, le coton, le lin et le chanvre, ont été introduites ; des tissus variés de ces matières et même en soie, des toiles imprimées et brochées, des nanquins, des ouvrages en bonneterie, des shals divers se fabriquent ; de beaux établissemens en fonderies Anglaises, en produits chimiques, en verres taillés et cristaux de Bohême, en fayence, en papier, en fleurs artificielles, en maroquins, ganterie, en bronzes dorés, lampes astrales, et en beaucoup d'autres objets provoqués par les besoins de la société et par les encouragemens de l'administration, ont pris naissance simultanément chez nous et se maintiennent avec avantage. Une exposition des produits de l'industrie et des arts qui a lieu tous les deux ans dans la capitale, atteste leur multiplication et leur perfectionnement.

Les résultats du commerce extérieur ne pouvant plus être à l'avantage de notre Pays depuis la baisse extraordinaire du prix des denrées, le Gouvernement, dans la crainte de voir tout le numéraire s'écouler au dehors, comme aussi dans l'obligation de se conformer au système adopté pour l'Empire, a jugé nécessaire de limiter l'importation des marchandises étrangères. Par là, le mouvement des foires de Varsovie s'est réduit principalement aux échanges intérieures, et nommément à la vente des laines dont un vaste dépôt a été formé dans l'emplacement même de la foire ; et pendant l'Année écoulée, environ 5000 quintaux en ont été négociés seulement dans la Capitale. Mais les restrictions que les circonstances ont imposées au commerce étranger, se trouvent heureusement compensées par le bienfait du Décret de S. M. qui fixe les relations commerciales entre La Russie et La Pologne. Ses effets, quoiqu'encore récents, se sont déjà montrés également avantageux pour les deux Pays, et présagent tout ce que l'on est en droit d'en espérer lorsque le tems et l'habitude auront rendu ces rapports plus faciles et plus intimes. Des Conventions particulières ont réglé nos relations de commerce avec nos voisins.

Nos laines fines se sont multipliées assez pour fournir aux nombreuses et nouvelles fabriques de drap de l'intérieur, et pour qu'en outre on ait pu en exporter considérablement au dehors. Le troupeau de mérinos établi dans les domaines nationaux de Kielce, et composé de 2000 bêtes de race entièrement pure, a puissamment contribué à

ces résultats, par les magnifiques béliers, qu'il à livrés à toutes nos Provinces. Des batimens vastes et commodes ont été construits à Janow, pour y loger le haras du Gouvernement. Porté actuellement au delà de 400 animaux de choix, il envoie chaque Année de beaux étalons aux dépôts répartis dans les Palatinats, où leurs jeunes élèves se font déjà remarquer. Ceux de la grosse espèce de bêtes à cornes, dont le troupeau de race est entretenu près de Siedlce en Podlachie, ont été distribués et se propagent dans diverses parties du Royaume.

L'utilité de l'institut agronomique à Mariemont est appréciée par les propriétaires qui n'ont pas négligé d'en attirer à leur service les élèves, à mesure qu'ils s'y formaient : les demandes, sous ce rapport, ont été assez nombreuses et pressantes, pour que peu de ces élèves aient pu y poursuivre un cours complet de deux années. On y a fondé récemment une école de pauvres, à l'exemple de celle de Hof-wyl, qui, comme tous les établissemens semblables, lorsqu'ils sont bien dirigés, promet de très-bons résultats.

Un comité institué en 1820, a déjà terminé la description historique et statistique de toutes les Villes du Royaume, qui spécifie leurs titres, leurs états de situation, leurs dépenses fixes aussi bien que les fonds dont elles peuvent disposer, et dont l'excédant, ainsi que les sommes provenant des cautionnemens, sont employés chaque Année en avances aux propriétaires qui y construisent des bâtimens en maçonnerie. La valeur de toutes les maisons est garantie par la société d'assurance contre les incendies, qui fait ses paiemens avec régularité et acquiert ainsi de plus en plus la confiance générale, de sorte que par l'accroissement graduel de ses inscriptions, elle jouit déjà en somme, d'un fonds de plus de 350 millions de florins. Aussi des progrès sensibles se font remarquer dans les principales Villes du Royaume. Des rues tant anciennes que nouvelles, régulièrement pavées ou ferrées, entretenues avec propreté et bien éclairées; des Edifices du Gouvernement, des hôtels de ville, des abattoirs, des magasins s'y élèvent à côté des bâtimens de manufacturiers et des maisons particulières; la population juive se réunit dans des quartiers séparés, les jardins et les promenades publiques se multiplient; partout les traces des ruines anciennes s'effacent et disparaissent. Cette tendance vers l'ordre, l'utilité et l'agrément, se manifeste avec plus d'éclat dans les nombreux embellissemens et dans l'accroissement de la capitale, dont la population monte au delà de 120,000 âmes, sans y comprendre les différens corps d'armée qui sont logés ou casernés dans la Ville.

La sollicitude de l'Administration a veillé sur les asyles de l'humanité souffrante et sur ceux du vice réprimé. Beaucoup d'hôpitaux ont été mieux dotés, agrandis, rebâti : leur service est plus convenablement réglé. Une maison commode est complètement restaurée à Varsovie, pour l'établissement de la société de bienfaisance, dont le zèle

et les efforts constants méritent tous nos éloges. Une instruction uniforme a été rédigée et mise en vigueur relativement à la régie des maisons de détention, dont un nombre considérable est construit à neuf, ou réparé et mieux distribué : les forçats sont occupés à des travaux publics ou à des ateliers de fabriques diverses.

L'activité de la police générale s'est soutenue, les poids et mesures légales ont été partout introduites, les divers services domestiques soumis à des réglemens plus précis, la discipline médicale rendue plus sévère, les avantages de la vaccination plus populaires, et ses succès récompensés par des primes ; le vagabondage et la désertion vivement poursuivis, sont devenus plus rares. Le service des postes ne laisse rien à désirer. Plusieurs stations nouvelles ont été établies : des maisons commodas et des écuries y ont été construites en maçonnerie, aux frais de la direction, et sur l'excédant du revenu qu'elle verse annuellement au Trésor.

Une extension successive des ouvrages dans les minières de Gouvernement y a déjà porté au delà de 300, les diverses forges, fonderies, laminoirs, usines qui occupent plusieurs milliers d'ouvriers, et animent un pays autrefois désert. Outre l'argent, le cuivre, le plomb dont l'exploitation peut devenir plus considérable, 100,000 quintaux de fer égalant en qualité celui de Suède, plus de 40,000 quintaux de zinc, 500,000 sacs de houille, s'y produisent annuellement. Les recherches de sel gemme se continuent à de grandes profondeurs, et semblent présager un succès prochain. Les carrières de marbre offrent graduellement des nuances nouvelles et rares.

#### GUERRE.

Si la reconnaissance nationale a accompagné la formation et les rapides progrès de notre établissement Militaire actuel, elle n'est pas moins due à la persévérance et aux soins non interrompus, qui ont su le maintenir constamment à la même hauteur. Riche déjà de ses propres exemples, et de l'approbation réitérée du Souverain, l'armée Polonoise sous les auspices de son auguste Chef, s'approprie sans relâche tous les perfectionnemens que le talent découvre et que l'expérience confirme.

Les améliorations graduellement obtenues dans sa partie administrative, et l'économie bien entendue qui y a été introduite, ont fourni les moyens de subvenir durant ces dernières Années à des frais considérables, consacrés à des Institutions éminemment utiles, telles que le Corps des Cadets de Kalisz, où s'instruisent plus de deux cents élèves, placés désormais sous le Régime Militaire ; l'école d'application à Varsovie, destinée à l'enseignement des connoissances d'un ordre supérieur ; les écoles à l'usage des sous-officiers d'Infanterie, de Cavalerie et d'Artillerie, un bataillon de Vétérans actifs, un Corps du Train, quatre compagnies Correctionnelles, un Corps de Raquetiers ; les travaux dans les places fortes, l'acquisition, la construction ou la restau-



ration de vastes bâtimens militaires, qui ont embelli la capitale et plusieurs Villes du Royaume, et épargné les logemens militaires à leurs habitans et qui, déjà en 1823, suffisoient au casernement de 20,000 hommes et de 5000 chevaux. Toutes ces dépenses ainsi que le complètement de tous les Corps, ont été effectués sans aucune augmentation des fonds assignés au Budget. Les réglemens relatifs au recrutement ont été revus et améliorés, de manière à écarter toute espèce d'abus. Les sous-officiers et les soldats qui, conformément à la Loi ont rempli leurs années de service, obtiennent lorsqu'ils le désirent leur licenciement aux termes fixés. Toutefois ceux qui par habitude et par la connoissance du service, peuvent offrir des exemples utiles à leurs jeunes Camarades, et qui sollicitent de continuer à servir au delà du terme prescrit, reçoivent des chevrons d'honneur comme distinction honorifique et une augmentation de solde, proportionnée au tems de leur service. Cette disposition a maintenu dans l'Armée beaucoup de Sujets recommandables par leur zèle et leur capacité ; comme d'ailleurs la réputation méritée, de justice et d'impartialité en tout ce qui concerne le Régime Militaire, attire un grand nombre de Volontaires de toutes les classes, qui se présentent sans cesse pour entrer dans les rangs.

L'attention paternelle qui préside aux différentes branches du Service, a semblé épuiser sa sollicitude dans l'administration des hôpitaux militaires. Celui de Varsovie, digne sous tous les rapports d'être classé parmi ceux qui se distinguent en Europe, offre un modèle d'ordre, de propreté et de soins, pour le soldat malade. Les hôpitaux des régimens, les infirmeries des écoles militaires et des places fortes, sont également dignes d'éloges. Leur service en général s'est considérablement perfectionné par le soin que le Ministère de la Guerre a eu d'établir un atelier de bandages et de charpie, de pourvoir l'hôpital général et les Corps d'armée de bons instrumens de chirurgie, fabriqués dans le Royaume sous la surveillance d'experts, d'introduire l'usage d'appareils fumigatoires, d'établir une école de chirurgie à l'hôpital général de Varsovie, où des fils de soldats reçoivent une instruction élémentaire, et de faire fournir par la caisse Militaire des avances à plusieurs chirurgiens, pour leur procurer les moyens de perfectionner leurs études à l'Université Royale de Varsovie.

L'expérience ayant démontré que le soldat subsistant de sa solde, satisfait le mieux de cette manière à ses besoins, et les soins que l'autorité prend pour son bien-être, ne s'étant jamais rallentis, il en est résulté, que l'esprit d'ordre et de discipline se propageant dans tous les Corps, le nombre des délits commis va toujours en diminuant, et que chaque Année la désertion devient moins fréquente.

La réunion de l'Armée en 1823 auprès de Brzesc a procuré un avantage marquant aux propriétés situées sur le passage et aux environs du Camp, qui par là ont eu une occasion favorable de débiter

leurs denrées et leurs produits. Le renouvellement de semblables réunions dans différentes directions du Royaume, deviendra un bienfait pour ses habitans. De même la fourniture des draps fabriqués dans l'intérieur pour l'Armée, a éminemment contribué aux progrès et à la prospérité de nos manufactures. C'est un tribut que nous avons décidément cessé de payer à l'étranger, et il est à espérer que la fabrication des toiles du pays, acquerra bientôt par les soins et les encouragemens de l'Administration une extension et un perfectionnement assez évident pour que les Troupes puissent en être vêtues à leur satisfaction. Les matériaux en fer employés dans les fabriques et les ateliers de l'armée, sont tirés des forges nationales, ainsi que le zinc laminé que l'administration militaire fait appliquer à la couverture des toits et à la confection des corniches ; méthode qui se recommande de plus en plus par sa solidité, et qui ouvre un nouveau débouché à ce métal abondamment fourni par le sol Polonais.

Le Ministère de la Guerre a fait aussi établir une fabrique d'instrumens de mathématiques à l'usage de l'Artillerie et du génie, ainsi que divers ateliers de forge, de charronnerie, de menuiserie, et autres semblables, qui fournissent à l'Armée des outils et des objets nécessaires, et qui donnent aux individus les moyens d'acquérir une instruction solide dans différens métiers.

L'utilité n'a point fait négliger l'agrément. Ainsi les casernes de Lazienki, la nouvelle Place d'Exercice et le Camp de Powazki, sont devenus des jardins riens, qui dérobent le sérieux de leur destination, sous des abris de verdure et de fleurs.

Tous ces avantages n'ont pu être obtenus que par une économie et une comptabilité scrupuleuse qui présente à chaque instant la facilité de justifier d'une manière claire et précise l'emploi des fonds dont l'Administration peut disposer.

#### FINANCES.

L'Administration des Finances du Royaume durant l'intervalle qui s'est écoulé depuis la dernière Session, présentait de graves difficultés. Le déficit remarqué en 1820, avoit fait des progrès dans le courant de l'année suivante : il entravoit déjà, et menaçoit encore d'avantage le service Public. Les Revenus des Domaines Nationaux baissent rapidement, par le même motif de la dépréciation des produits de la terre, qui rendoit la rentrée de la contribution foncière chaque jour plus difficile et plus incertaine. Cependant la pensée Suprême qui dirige les opérations du Gouvernement, appela l'ordre dans les Finances ; et au moyen de ce régulateur indispensable de toute bonne administration, avec le secours d'un contrôle plus sévère, et de quelque extension donnée aux impôts indirects, non-seulement le déficit a été comblé, le service public régulièrement satisfait, mais un excédant considérable en numéraire est déposé dans les coffres de la Trésorerie pour servir à acquitter une Partie de la Dette Nationale.

Pour accomplir ce devoir sacré, une Convention avoit d'abord été signée avec La Prusse. Une autre qui a réglé les intérêts d'Etat à Etat, entre L'Autriche et le Royaume, préparée par la persévérance du même Négociateur, a dû sa conclusion à l'intervention personnelle de notre Souverain, tandis qu'un Commissaire Royal poursuit encore le Règlement des prétentions particulières, dont les bases enfin arrêtées, promettent la prompte solution de cette question importante. Il ne restera plus qu'à terminer les liquidations pendantes avec La Saxe et La France, pour déterminer avec précision le montant de la Dette publique : et comme la révision définitive de toutes les prétentions, sera simultanément accomplie par la Commission liquidatrice, qui s'en occupe avec ardeur, toutes les mesures concourront ainsi à accélérer la satisfaction des créanciers de l'Etat.

Sans doute, la pénurie des Propriétaires subsiste toujours, avec les causes qui l'ont produite ; et loin de vouloir atténuer leurs justes doléances, le Souverain souscrivant dans sa sollicitude, aux vœux énoncés par les Représentans de la Nation, a fait rédiger un Projet de Système de Crédit, qui déjà porté à la connaissance des Conseils Palatinaux, va être soumis aux Chambres par le Ministère des Finances. Toutefois, en convenant de la détresse actuelle des propriétés, et en cherchant ainsi à relever leur valeur, le Gouvernement croit que les charges foncières ne paraîtront point si onéreuses, lorsque le prix et le débit des denrées seront redevenues plus favorables. Puisqu'il n'a pas été possible de diminuer ces charges actuellement, c'est au moins sans les augmenter directement, que le Ministère des Finances est parvenu à replacer le Trésor Public dans la situation prospère où il se trouve.

Tel est le précis historique de notre Administration pendant les dernières Années. Elle ne peut actuellement, sous l'heureuse influence d'une paix générale, que se ressembler à peu-près partout, dans la poursuite du bien-être particulier, de l'ordre public et des avantages sociaux. Sans doute l'acquisition plus ou moins prompte et sûre de ces bienfaits, devrait dépendre d'avantage de la bonté du régime établi, que de l'activité de ceux qui veillent à son exécution. En effet, les hommes et les événemens passent : mais si des Institutions généreuses se maintiennent et traversent les temps ; elles font, suivant les vicissitudes de la fortune des Peuples, le bonheur ou la consolation du présent, ainsi que l'espérance de l'avenir. Heureux ceux à qui elles ont été accordées par la Divine Providence ! Heureux surtout s'ils savent les conserver, en jouir avec mesure et tranquillité ; et si la postérité ne peut au moins leur reprocher d'avoir intempestivement compromis de tels bienfaits ! Lorsque des événemens fortuits ont placé un faible Etat Représentatif au milieu de puissantes Monarchies absolues, quelle modération ne faut-il pas dans ses Conseils et dans ses actes, pour lui assurer quelque stabilité et quelque

bonheur ! Vainement chercherait-il au loin ou dans le passé à se prévaloir d'exemples analogues ; il ne peut en prendre que de lui-même : il doit éviter la déception des noms, et se ranger à sa situation, sous peine de se voir frustré, et des libertés que garantit le Système Représentatif, et du repos que promet un Gouvernement concentré. Toutefois, l'expérience des temps et des Peuples, d'accord avec l'observation de la nature humaine, a prouvé que la prudence et la modération ne peuvent point être des qualités éminemment départies à des Assemblées nombreuses et délibérantes ; que c'est la sincérité et la franchise qui doivent les y remplacer, et que par conséquent celles-ci ont des droits à l'indulgence du pouvoir qui en a permis la manifestation. Aussi, l'expression mesurée des besoins et des vœux de la Nation représentée par ses délégués, est leur attribution et leur devoir, comme il est dans la volonté du Souverain de les entendre et de les accueillir. C'est en agissant d'après ces principes que la Session actuelle deviendra sans doute remarquable et offrira une époque de satisfaction universelle.

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**CONVENTION between Austria and Sardinia, for the free Transfer of Private Property, Inheritances, and Successions.**  
 —Signed at Vienna, November 19, 1824. (*Translation.*)

HIS Majesty the Emperor of Austria, and HIS Majesty the King of Sardinia, being desirous of extending the beneficial effects of the Convention concluded between the two Courts, on the 31st of August, 1763, for the Abolition of the "*Duty of escheatage*," "*diritto d'albinnaggio*," in the Provinces and Countries successively united to the two Monarchies of Austria and Sardinia, and the relations of strict amity happily subsisting between the two States ; and desiring, moreover, that their respective Subjects may enjoy the advantages of a free transfer of Properties, Inheritances, and Successions, from within one State to the other, have named Plenipotentiaries to regulate whatever may concern the execution of their benevolent intentions, namely : HIS Majesty the Emperor of Austria, Clement Wenceslas Lothaire, Prince Metternich Winnebourg, Prince of Ochsenhausen, Duke of Portella, Chamberlain, Privy Councillor of HIS Imperial Majesty, Minister of State and of Conferences, Chancellor of the Court and State, and of the Imperial House, &c. &c. And HIS Majesty the King of Sardinia, Charles Francis Count of Pralorme, Envoy Extraordinary, and Minister Plenipotentiary to HIS Imperial and Royal Apostolic Majesty, &c. &c. &c. which Plenipotentiaries have agreed upon the following Articles :

I. The Convention, concluded and signed at Vienna, on the 31st of August, 1763, for the Abolition of the "*Duty of Escheatage*," in the two Monarchies of Austria and Sardinia, shall expressly



remain in force, with the following additions and modifications, and shall be observed in all the Kingdoms, Provinces, and Countries of which the two Monarchies are at present composed.

II. In addition to the power of inheriting, by such means as are already established in favor of the respective Subjects, agreeably to the Laws and Statutes, now in force in the two Monarchies, and in the several Kingdoms and Provinces of which they are composed; there shall be henceforth, in the States of His Majesty the Emperor of Austria, and His Majesty the King of Sardinia, full power of conveying Properties, Inheritances, and Successions, from within one State to the other, so that neither the payment of "*The Legacy Tax due by Aliens*," "*Tassa di detrazione*," nor of any other Impost existing in either of the two States, on the transfer of Property, shall be exacted, so far as such Taxes and Imposts would enter into the Treasuries of the Sovereign.

III. The Abolition of the above-named Tax shall not affect the Tax of Emigration, which is so closely connected with the existing Laws of Emigration, nor those Taxes which are paid on Properties and Successions, and which the Subjects of the two Countries are bound to pay upon taking possession of an Inheritance, even when neither Emigration nor transfer of Property has taken place; the two High Contracting Courts, however, expressly reserve to themselves the power of regulating, whatever may appear to them most expedient with regard to the Taxes upon Inheritance and Emigration.

IV. The free Transfer of Estates, referring in their nature to Property and not to Persons, is in no way changed by the present Convention, with respect to the Laws and Ordinances, which impose upon all Subjects, under confiscation or some other penalty, the necessity of obtaining permission to emigrate from their respective Governments, previously to their establishment in a Foreign Country.

V. In conformity with the same principle, it is agreed, that, notwithstanding the free transfer of Property as above permitted, the Tax on exemption from Military Service may be exacted, in all cases in which permission to emigrate is granted to an Individual, who, from his personal qualifications, would be liable to military service, and who shall not have passed the age at which such liability ceases.

VI. The penalty of Confiscation shall not be applied to Persons who shall have emigrated before the present Convention, without having previously obtained the permission of their Sovereign, excepting in the cases of Individuals who have settled in Foreign Countries with a full knowledge of the existing Laws against Emigration, and have refused to obey the injunctions of the proper Authority.

VII. It is equally understood, that the preceding Stipulations shall not affect the Custom-House Regulations at present in force in the two Countries, nor those which may in future be established.

VIII. Although, by the present Convention, the Taxes and Imposts respecting the transfer of Property, are abolished, in as far as they relate to the receipt of the same in the Treasury of the Sovereign, it is nevertheless reserved to the Provincial States and Corporate Bodies who possess the right of collecting such Taxes, in cases of the transfer of Inheritance, to continue in the exercise of such right.

IX. The present Convention shall be ratified, and the Ratifications exchanged at Vienna, within the space of four weeks, or sooner if it be possible. It shall have full force and effect from the day of the exchange of the Ratifications.

In faith of which the respective Plenipotentiaries have hereunto affixed their Signatures and the Seal of their Arms.

Done at Vienna, the 19th of November, 1824.

METTERNICH.

PRALORME.

*SPEECH of the Emperor of Austria, on the Opening of the Diet of Hungary, at Presburg, the 19th September, 1825.  
(Traduction du Latin.)*

Fidèles Etats de mon très-cher Royaume de Hongrie !

Il a paru enfin, à ma plus grande satisfaction, le moment si long-tems désiré où j'ai pu vous rassembler autour de mon Trône pour délibérer avec vous sur tout ce qui peut contribuer efficacement au bien-être de la Patrie, et pour rapprocher en quelque sorte de mon cœur, par un nouveau lien, mon Peuple fidèle et aimé, en faisant couronner solennellement la Reine, ma très-chère Epouse.

Des évènements importans se sont passés depuis notre dernière réunion dans ce lieu. Il a fallu les guerres les plus sanglantes pour procurer enfin à l'Europe la jouissance de la Paix après laquelle elle soupirait en vain depuis si long-tems. Pendant toute la durée de cette lutte, je n'ai craint aucune peine personnelle, je n'ai négligé aucun soin, aucun effort qui me parût propre à atteindre mon but, pour soutenir les droits de mon Royaume, et transmettre entière à mes Successeurs la gloire de la Monarchie de mes Ancêtres, et la dignité des Couronnes que je porte.

Ils ne sont pas restés sans fruit mes efforts sincères ! Ils ont été couronnées par des Victoires importantes et par l'heureuse fin des calamités de la Guerre. Je fais ici le solennel aveu que ce résultat doit être attribué avant tout à Dieu, Maître de toutes les destinées, ensuite à la fidélité, à l'amour de mes Peuples, à l'intrepide persévérance des Monarques mes Alliés, à la bravoure de mes Armées, aux sacrifices constans par lesquels mes Sujets se sont acquis une gloire impérissable. Quelle part la Hongrie n'y a-t-elle pas prise ! Avec quel zèle n'a-t-elle pas fait briller sa fidélité, son dévouement et cette générosité héréditaire toujours reconnue comme un appui de mon Trône, comme l'héri-

tage de vos ancêtres ! Ce sont vos actions qui le proclament, ces actions qui resteront éternellement gravées dans la mémoire de mon cœur.

Mais pendant que les succès de nos Armes conservait la Monarchie, et nous mettait à même de pouvoir incorporer de nouveau à ce Royaume les anciennes Provinces arrachées à la Couronne de Hongrie, les Peuples soumis à mon Sceptre remportaient une victoire éclatante d'un autre genre, victoire qui portera les fruits les plus bienfaisans et les plus salutaires pour eux et pour leurs descendans. Tous, et parmi eux mes fidèles Hongrois, ont repoussé unanimement cet esprit pernicieux qui a entraîné d'autres Pays dans les plus grands désordres et les plus affreux malheurs. Mes Peuples n'ont pas oublié que l'espérance fondée sur la sagesse du Tout-Puissant, la fidélité invariable envers le Prince fortifiée par une confiance réciproque, l'observation consciencieuse des Institutions, établies par nos Ancêtres, consolidées par le tems, sanctionnées par l'expérience des Siècles, constituent la véritable félicité des Peuples, et forment, dans toutes les circonstances et à toutes les époques, une garantie inébranlable.

Il est évident pour chacun que les évènements chanceux de ces dernières Années ont rendu nécessaires de grands et de nombreux sacrifices financiers. Mais un système délibéré avec maturité, introduit avec fermeté, soutenu avec un zèle persévérant, a créé de nouveau le Crédit Public, l'a consolidé, et a déjà fermé plusieurs plaies de l'Etat. Guérir celles qui restent encore ouvertes, et fonder ainsi la prospérité durable de la Hongrie, c'est ce que nous attendons de votre prudence législative. Je ne vous demande rien que du zèle pour votre propre bien-être ; je me fie à votre sagesse, Pères de la Patrie, pour que vous proposiez les mesures les plus propres à l'assurer. Ces mesures ne resteront pas sans l'effet désiré, elles ne manqueront pas d'un appui sincère de la part de votre Roi, si, animés uniquement du zèle pour le bien public, vous unissez vos efforts aux miens pour créer la prospérité durable de la Patrie, et mériter ainsi la reconnaissance de la postérité.

L'espoir certain d'une Paix de longue durée favorise beaucoup ces délibérations importantes. Un autre motif m'engage encore à les entreprendre dans le moment actuel. Mon âge s'avance, et les jours des mortels sont entre les mains du Seigneur !

Je désirais voir encore pendant ma vie votre prospérité s'accroître par des Lois et des Ordonnances sages, afin de pouvoir, avec une confiance entière, transmettre à mes Successeurs, ainsi qu'aux Hongrois, enfans de mon cœur, le dépôt sacré de la Constitution du Royaume, toujours de plus en plus fortifiée.

Par mes Propositions Royales que je vous remets ici, les fidèles Etats verront que mes vues paternelles sont uniquement dirigées vers le bien-être de tous les Sujets de mon Royaume de Hongrie.

Recevez l'assurance de ma bienveillance Impériale et Royale.

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**CONVENTION between France and Spain, for prolonging the stay of the French Army in Spain.—Signed at the Escorial, the 10th of December, 1824.**

SA Majesté Catholique le Roi d'Espagne et des Indes, ayant jugé qu'il serait utile de conserver dans Ses Etats une partie de l'Armée Française au-delà du terme du 1<sup>er</sup> Janvier, 1825, afin d'avoir le tems de réorganiser complètement l'Armée Espagnole et de consolider le rétablissement de l'ordre public ;

Et Sa Majesté Très-Chrétienne le Roi de France et de Navarre, desirant donner à Sa Majesté Catholique un nouveau témoignage du vif et sincère intérêt qu'Elle prend à son Auguste Personne, à l'affermissement de Son autorité légitime et à la prospérité de Ses Peuples ;

Leurs Majestés ont résolu de conclure, pour arriver à ce but, une Convention nouvelle, et ont nommé Plénipotentiaires à cet effet, savoir :

S. M. Très-Chrétienne, le Sieur Charles-Joseph Edmond de Boisle-Comte, Chevalier de l'Ordre Royal de la Légion d'Honneur, Son Chargé d'Affaires près S. M. Catholique ;

Et S. M. Catholique Don Francisco de Zea Bermudez, Chevalier Pensionné de l'Ordre Royal et distingué de Charles III. Conseiller-d'Etat, son Premier Secrétaire-d'Etat, Président de son Conseil des Ministres et Surintendant-Général des Courriers, Postes et Routes, d'Espagne et des Indes ;

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

I. Le Corps d'Armée Française actuellement existant en Espagne, sera réduit à 22,000 hommes, à partir du 1<sup>er</sup> Janvier, 1825.

II. Ces Troupes seront réparties dans les Places suivantes : Cadix, Isle de Léon et ses Dépendances ; Barcelone ; Saint-Sébastien ; Pampelune ; Jaca ; Seu d'Urgel ; et Saint-Ferdinand de Figuières.

III. Indépendamment de ces Troupes, une Brigade, formée de deux Régimens Suisses et commandée par un Officier-Général, restera à Madrid, et dans celle des Residences Royales où se trouverait Sa Majesté Catholique, pour faire le service auprès de Sa Personne et de la Famille Royale, concurremment avec les Troupes Espagnoles.

IV. Toutes les Places actuellement occupées par les Troupes Françaises seront évacuées, à l'exception de celles qui sont désignées dans l'Article 2 ; et les Troupes qui ne font partie d'aucune des nouvelles garnisons rentreront en France au terme du 1<sup>er</sup> Janvier, 1825, fixé par la précédente Convention.

V. Les Troupes Françaises fourniront les garnisons des Villes et Places indiquées dans l'Article 2.

Le Commandement Militaire de chacune de ces Villes et Places appartiendra à l'Officier Français pourvu de Lettres de Service pour y commander ; et les rapports des Commandans Français avec les Capi-



taines-Généraux ou avec le Vice-Roi de Navarre, dans les Villes où les deux Autorités, Française et Espagnole, sont réunies, subsisteront tels qu'ils étoient établis par les dernières Conventions.

VI. Les Commandans Français disposeront pour le service qui leur est confié des approvisionnemens de guerre de toute espèce qui se trouvent dans les Places occupées, et qui devront être fournis par l'Espagne. On ne pourra extraire des magasins aucune des armes, ni munitions formant l'approvisionnement de la Place, qu'avec l'agrément et le consentement du Commandant Français qui s'y trouve.

VII. Sa Majesté Catholique se chargera de pourvoir à l'établissement des casernes, magasins, matériel des hôpitaux, transports à la suite, étapes militaires, approvisionnemens de siège dans les Places, ainsi qu'aux réparations et autres objets reconnus nécessaires.

VIII. L'abonnement fixé par l'Art. 10 de la Convention du 9 Février pour les dépenses de Solde, de nourriture, d'équipement et d'entretien, qui forment la différence du pied de paix au pied de guerre, devant être réduit dans la proportion du nombre de Troupes, demeure fixé à la somme de 900,000 francs par mois.

IX. Des mesures seront concertées entre les deux Gouvernemens, pour faire constater le montant des dépenses mentionnées dans l'Article 6 de la Convention du 30 Juin dernier, et pour assurer leur remboursement.

X. Sa Majesté Très-Chrétienne ne laissant de Troupes en Espagne que sur la demande qui lui en a été faite par Sa Majesté Catholique, ces Troupes seront retirées aussitôt que les Parties intéressées l'auront jugé nécessaire, et en s'en tenant aux réserves contenues dans l'Article 16 de la Convention du 9 Février dernier.

XI. Toutes les clauses de la Convention du 9 Février et du règlement qui y est annexé ; celles de la Convention du 10 Février relative au service de la Poste Militaire, qui ne seront pas modifiées dans le nouvel arrangement qui sera conclu entre les deux Gouvernemens d'après l'état actuel des choses ; toutes celles de la Convention du 30 Juin, qui ne sont pas non plus contraires aux présentes Stipulations, continueront d'avoir leur plein et entier effet pendant toute la durée de la Convention actuelle.

XII. La présente Convention sera ratifiée, et les Ratifications seront échangées dans le plus bref délai possible.

En foi de quoi les Plénipotentiaires respectifs, en vertu de leurs Pleins Pouvoirs, ont signé la présente Convention, et y ont apposé le Cachet de leurs Armes.

Fait double à San Lorenzo del Escorial, le 10 Décembre, 1824.

EDMOND DE BOIS-LE-COMTE.

FRANCISCO DE ZEA BERMUDEZ.

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ARTICLE ADDITIONNEL.—S. M. T. C., accédant aux désirs de Son Auguste Allié, le Roi Catholique, et toujours disposée à tout ce qui peut contribuer à assurer la tranquillité de l'Espagne, a ordonné, qu'indépendamment des 22,000 hommes mentionnés dans l'Art. 1<sup>er</sup>. de la présente Convention, et de la Brigade Suisse énoncée dans l'Art. 3<sup>e</sup>. il sera dirigé momentanément d'autres Troupes Françaises, pour former les Garnisons de la Corogne, Santona, Saragosse, Cardona et Hostalrich ; établissant aussi une Brigade avec quelques escadrons et quelques Corps d'Artillerie échelonnés entre Victoria et Iruu ; ce surcroît considérables de Troupes Françaises en Espagne formera une Armée de 30 à 35,000 hommes. La France n'en réclamera d'autre indemnité que celle qu'elle peut exiger pour les 22,000 hommes seulement.

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*NOTE of The Conde de Ofalia to Sir William à Court, relative to the Spanish American Provinces.—Translation.*

SIR,

*Aranjeuz, 30th April, 1824.*

I HAVE had the honor to receive the Copy which your Excellency has been pleased to send me, of the Despatch addressed to you on the 31st March, by His Britannick Majesty's Minister for Foreign Affairs, and have communicated its important contents to the King, my Master.

I am commanded to acquaint your Excellency, in reply, that as the answers, which I informed you in my Note of the 23d ultimo, were expected from the Governments of France, Austria, Russia and Prussia, have now been received, and that all those Powers have acceded to the Proposal made to them by the Government of His Majesty on the 26th of December last, to take part in a Conference at Paris, relative to the state of South America, and the means to be adopted for restoring Peace to that Country,—His Majesty has learnt with the greater concern, that the Government of His Britannick Majesty have not judged it expedient to comply with the above invitation, in as much as, in the opinion of the Spanish Government, the actual state of the American Regions offers the best founded hope, that the joint Mediation of His Majesty's Allies would bring to a speedy and satisfactory termination, the calamities which afflict those Countries, and the deplorable effects of which are felt even in Europe.

The views of His Majesty on this subject, although originating principally in His solicitude in behalf of His Subjects in Spain and America, are also directed to the maintenance of the general peace and tranquillity of the World ; and England, who, during so many years, has so nobly contributed to consolidate this blessing in Europe, cannot reject such an opportunity of extending the same to America, and of thus acquiring new glory for her Government, and an increase

of solid and lasting prosperity for her flourishing commerce and industry.

The unfortunate Events which occurred in Spain in 1810 and 1820, and the sentiments of loyalty and honourable feeling manifested at both periods by the Spanish Americans, in favour of their King and of their Mother Country, which they did not wish to see subjected either to a Foreign Yoke, or to the degrading influence of inexperienced and ill intentioned demagogues, were the real and primary causes of the disturbances which took place in Spanish America in 1810, and more recently of the Revolution in Mexico in 1821. Afterwards, as usually happens in moments of agitation and convulsion, attempts were made to give a more sinister direction to these first impressions and movements; and for a considerable time endeavours have been made to create and organize in different parts of America, Governments independent of the Mother Country; but the whole World knows what, in reality, those Governments are, and what they have been; and that the basis which is necessary to ensure their stability is wanting, namely, unity of sentiment among the governed, and the adaption of their Political Institutions to the customs, habits, traditions, Laws, and religion of the People for whom they are intended.

It is thus that Systems of Government have every where been abandoned, to be replaced by others, which in a short time have been destroyed in their turn, and that the constant collisions and vicissitudes amongst the different Parties, proclaiming pernicious and flattering theories, have occasioned the poverty and desolation of those Regions, where,—under the beneficent protection and increasing influence of a grossly calumniated Government and Nation, but to which posterity will render complete justice,—populous Cities and flourishing Provinces sprang up from the Earth as if by enchantment, and formed themselves in the midst of deserts and impenetrable forests, overcoming all the obstacles which unsubdued Nature could oppose.

The Government of His Britannick Majesty cannot deny the truth of these facts, or of these reflexions. To confine my observations to the Kingdom of Mexico, respecting which the greatest expectations appear to have been raised, (perhaps because, having been launched at a later period into the Revolutionary Career, the fever has not yet arrived at its crisis), I am persuaded that Mr. Ward and his Colleagues, will have informed the British Cabinet of the disturbances and dissensions, of which they must have been eye-witnesses, during the period of their residence there, and that they will have made known to them, that the Provinces of that extensive Kingdom, far from being cordially united with the Capital, have either openly proclaimed their separate independence, or have assumed the mask of a Federative Union, merely as a preparatory measure to the entire separation from it, to which they look forward,—following, generally, the impulse given

by their Chiefs during the ephemeral dominion which they alternately exercise over them. It is not, however, necessary for me to form conjectures, which may be more or less probable, respecting the information communicated by Mr. Ward and his Colleagues, nor to exaggerate the results, by listening to the enemies of the insurrectional Governments. In the Supplement of the *Diario of Mexico*, of the 27th January 1824, page 544, which I have now before me, and in which are reported the Sittings of the Congress, appears the following Statement, to which I call Your Excellency's attention ;—

“ The Minister for Foreign Affairs read a Note from the English Commissioners, in which they demanded their Passports, declaring that, from the above date, all communication, and relations with the Government must cease, because they would not remain in a Country where military discipline was disregarded, the Public Authorities disobeyed, and where every European lived in the most deplorable state of insecurity.”

Can a more positive proof be given of the disorders prevailing in that unfortunate Country, a prey to factions, and where the most extravagant Democracy gives way, with the greatest facility, to the most tyrannical military despotism?

If from Mexico we pass to Buenos Ayres,—a Country farther advanced in the career of Independence, and about which more flattering hopes had been heretofore conceived than even those which are now pretended to exist respecting New Spain: it is well known how many Governments and Governors have succeeded each other, and by what means that Country, formerly rich and enjoying a flourishing Commerce, finds herself now reduced to poverty and nullity, and her very existence threatened by the irruptions of undisciplined Indians, whom a handful of Soldiers, under the orders of the Spanish Government, were sufficient to keep in check, and under which Government both Officers and Soldiers proved themselves to be not inferior to the best disciplined troops of Europe. The extensive Province of Paraguay, which is indebted for the tranquillity it enjoys, in the midst of revolutionary conflagration, to the prudence of an extraordinary Man, and to the respect still existing for some of its ancient Institutions, has sent Commissioners to Europe, to lay its peculiar circumstances and situation before His Majesty. In the vast regions of Peru, the Armies of the King, composed almost exclusively of Natives (a fact well worthy the attention of His Britannick Majesty's Government,) have obtained a succession of advantages and triumphs, the effects of which begin to extend to the Territory of Chili, and are even felt in the Provinces called Colombia, which, being more accessible, from their geographical position, to the intrigues of Adventurers from all Countries, groan beneath an intolerable yoke. The important Island and Archipelago of Chiloe, less exposed to intrigues, on account



of their remote situation and the nature of the climate, preserves, in those distant regions, an unshaken fidelity to the King, and adherence to the Mother Country. And if to this be added, the example of loyalty and firmness, of which the important Islands of Cuba and Puerto Rico have recently given such brilliant proofs; who can doubt but that abundant elements for peace and reconciliation even yet exist, after all the past commotions; and that His Majesty does not flatter himself in vain, when he hopes one day to see the Spanish Nation in both Hemispheres cordially and sincerely reunited?

His Majesty's firm conviction on this point, a due consideration for the rights of his Crown, the well being and the interests of his People on both Continents, the ardent wishes and importunities of the well disposed but oppressed portion of his American Subjects, which have augmented since the restoration of the legitimate Government in the Peninsula, are so many other weighty motives to induce the King, my Master, not to depart from the principles and considerations which dictated the Circular of the 26th December, addressed to the Government of His Britannick Majesty, and to those of His other August Allies, cherishing the hope that from their joint mediation, the most happy results would ensue, for Spain, for America, and for Europe. In that important Meeting the Representatives of the Sovereigns will be enabled to bear testimony to the inclination felt by the Government of His Majesty to listen to the statements which may be made by, or in behalf of all, or of any one, of the Provinces of Ultramar, with a view of introducing improvements and reform, both in their internal Administrative System, and in their commercial relations with the Mother Country and with Foreign Countries, and to grant them such immunities and privileges, as may reasonably and justly be desired. His Majesty's Royal Decree of the 9th February last, opening the Ports and Commerce of America to all Nations in amity with Spain, and doing away for ever the only motive for complaint and disquietude existing in the minds of the Inhabitants, has anticipated their wishes, and is a positive proof of these dispositions on the part of His Majesty.

With so well founded a prospect of putting an end to the calamities which afflict his Vassals in America, it must be evident to the wisdom and prudence of the Government of His Britannick Majesty, that the conscience of the King, my August Master, a due regard for the honor of his Crown, for the interests of Europe, and for the tranquillity of the World, will not permit His Majesty to abandon so many thousands of his Subjects, who, sighing for the moment of obtaining their liberty, have had their eyes and hearts fixed on the Mother Country, under whose auspices they and their ancestors were prosperous and happy. The King cannot but extend his arms towards them, seeking at the same time, in the intervention and media-

tion of His August Allies, the means of calming apprehensions, banishing fear, dissipating mistrust, and of giving greater solemnity and a firmer guarantee, to the re-union of the great Spanish Family.

All the Powers of Europe have a direct interest in terminating, by such means, the discords and calamities of America; so that order and regularity should take the place of anarchy in that Country; and that the immense field opened to the commerce and industry of all the Nations of the World, by the Decree of the 9th February, (the important provisions of which His Majesty is desirous should be secured by the faith of Treaties, and under the guarantee of the Powers allied to Spain,) may be turned to a profitable account.

His Majesty therefore, still continues to flatter himself that His Britannick Majesty,—receiving, as he daily must, fresh details of the state of anarchy existing in the American Regions, which must be lost to commerce, to industry, and to civilization, unless measures are timely taken to remedy such evils,—observing the moral effect which the mere intelligence of the re-establishment of Legitimate Government in Spain has produced,—and, lastly, bearing in mind, that the other European Powers, His Catholic Majesty's Allies, have returned a favourable Answer to the Invitation addressed to them,—will also consent to the establishment of a Conference which promises such happy results.

England, by her situation, by her commerce, and by the confidence which her intervention will inspire in the revolted Provinces of America, may become the principal security for the favourable result of this important Negotiation.

Entertaining this hope, His Majesty commands me, in laying before the Government of His Britannick Majesty all the considerations embraced in the above frank explanation, of the motives upon which the conduct of His Majesty is founded, and the object towards which all his endeavours are directed, again to invite and request the Government of His Britannick Majesty, in His Royal Name, to consent to and take part in the proposed Conference, for which all the other Allies of His Majesty have declared themselves favourably disposed.

I request that your Excellency will have the goodness to transmit this Note to the Government of His Britannick Majesty, in answer to their Communication of the 31st ultimo; and I profit, &c.

*The Minister of England.*

THE CONDE DE OFALIA.

*SPEECH of the President, on the Installation of the First Constitutional Congress of Mexico.—January 1st 1825.*

GENTLEMEN,

(Translation.)

It cannot be doubted, though some have affected to do so, whether social societies, established for the freedom of mankind, are the ne-

cessary results of just and benevolent ideas ; or whether they exist for a time only, through the scandalous subversion of principles, and the tumultuous progress of the passions. The Partisans of State tyranny, those who derive compacts and duties from the region of the clouds, refuse to acknowledge the legitimacy and vigour of Governments which have originated with the Sovereign People. According to those Individuals, free Nations possess neither restraint nor guarantees,—they assault and devour each other, and in this bloody contest, cruelty and the remorseless anger of factions, annihilate the hope of any organized system of Legislation.

It is not requisite, Gentlemen, in order to confound the enemies of the People, to lead them to the ruins of Carthage, to call to remembrance free Rome, or to unfold the annals of Greece, where literature, the fine arts, and sublime philosophy, gave birth to Institutions which have been admired through all Ages. No! America, our adored Country, raising her head above ancient times, has solved the problem which most interests the human race, and has torn aside the veil which covered the origin, and the end and object of power.

The profound Legislator of Carolina, and William Penn, the friend of man, planted in the virgin soil of America the precious seeds of civil liberty, which, cultivated with care by Washington and Franklin, are now deposited, with the fruit they produced, in that Capital, which has seated wisdom on the banks of the Potomac : from thence issue desolating beams on despotism—and from thence springs the generation of Sovereign Nations. How great is the glory of the New World! How elevated the grandeur of its destinies!

Light has penetrated even to the Colonies founded by the Adventurer Medellin. It is certain that genius has overcome resistance, that morality regulates the heat of parties, and that sentiments of philanthropy are dislodging the habits and errors which time had consecrated ; but I have come hither, Gentlemen, to congratulate you on the triumph of opinion, and of the social doctrines which have assembled us under the conditions of a Compact, created by ourselves, and for our happiness. Who can deny to the Representatives who fill these seats, consecrated to merit and to virtue, the incomparable satisfaction of being replaced by other Citizens equally respectable, and equally anxious for the national welfare? The Union, the security, and the well-being of these States, are confided to prudent Men, who, by their wise counsels, will insure to themselves the admiration of a People who know how to appreciate justice and talent. Proud of having regulated the elections for the public good, we shall see the plans of the Legislature, and the unanimous wishes of the Mexicans realised, in the first Constitutional Congress.

My heart expands in contemplating the blessings we enjoy, and those which we hope speedily to obtain. The magnificent edifice of

Liberty, which was heretofore a fine ideal perspective, is now founded on indestructible bases, and shines with the Institutions which a great People deserve.

The high attributes with which the Law and the will of my Fellow-citizens have invested me, as the depositary of the Executive Power, have placed me in the happy situation of being enabled to employ all my exertions for their advantage. A glance, however rapid, over the situation and progress of affairs, will convince you, Gentlemen, that the greatest possible good has been effected, considering the extent of my means, and the very short period of my Government. Happy shall I be, if I have succeeded in fulfilling the extensive duties confided to me by my Country.

The Secretary of Finance will inform the Congress, that although the state of his Department be not improved in respect of revenue, we have succeeded, by great exertions in clothing, arming and increasing the Army and Navy; in sending succours to New Mexico, the Californias, and all the Frontiers; in silencing the complaints of the Officers of the Republic, whose pay was in arrear; and in defraying the wants of the Administration, in all its branches, by the judicious and well regulated employment of the foreign loans. The organization of the Treasury has, by the recent Law, considerably improved in its economical arrangements, and advances towards perfection. May the Projects, which will be submitted to Congress, merit approbation!

The safety of the Republic demands sacrifices, but such only as may be compatible with the condition, means, and patriotism of its heroic Citizens.

The judicial power of the Confederation not being yet established, and the Government being deprived of the power of interference which it formerly possessed in that of the old Provinces, its action in this respect has been almost null, and will continue so until the Supreme Court be instituted, the number and location of the circuit and district Judges, and the Territorial Tribunals throughout the Federation, be established by Law. The administration of justice has, nevertheless, been attended to as much as possible, and the Citizens have only to complain of the defects of our Legislation, and of those which were introduced into our judicial proceedings, through the degrading indolence of the Spanish Governors. The gaols and houses of correction have shared the common fate of the times; but I do not despair of making them serve for securing the delinquents, without increasing their affliction and misery.

The Mexican army, which has gathered so many laurels, has considerably improved in discipline. It is on the point of being completed, and that now on foot is as well armed as circumstances permit. The Secretary of War and Marine will report what has been done in this Department: the System happily adopted, confides the internal



administration of the People to their local Authorities. The Government has employed itself within its sphere in checking abuses, and in applying to beneficial activity the Laws of the Country. The Secretary of the Interior will explain the details.

In all the free Countries of the Universe, wishes are formed for the consolidation of Mexican Independence, and so soon as they are enabled to calculate the immense power which union has given to our individual and collective prosperity, I am persuaded, Gentlemen, that they will admit us into the rank of Independent and Sovereign Nations.

And are we the People who have been subject for Three Centuries to a pitiful administration;— to a wretched government? The Mexicans, deprived of the advantages of an equitable System, broke their bonds with the Mother Country, after enduring them beyond the limits of human forbearance. Our Towns devastated—our properties invaded—gaols always full—continued grief and despair, and death at all times threatening us:—such were the titles, such the characters, which marked with fire and blood the liberty that we enjoy. In recovering our rights, and in raising a strong arm for the glory of our Country, we have given signal examples of moderation. Our detractors, now confounded, must admire, if for once they can be called just, the gentle Mexican temper, and its most philanthropic system of Legislation and Government.

Citizens of the Two Chambers of the General Congress of the heroic Mexican Nation.—Let the triumph of the Revolution not be lost to us! Let the Followers of tyrannic power bear tribute to the ideas of the Age, and to the advances of civilization in America, by their forced and tardy repentance! Let your ardent zeal for the Constitution, your constant love of country and liberty, your wisdom and energy, procure you the inestimable felicity of elevating the United Mexican States to that high pitch of prosperity and greatness, which the Supreme Arbiter of Destinies has decreed!

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*MEMORIAL of the Minister of Finance to the Congress  
of Mexico, 4th January, 1825.*

(Abstract.)

(Translation.)

OF all the duties of my Office, I have now to discharge the most arduous one, in consequence of its magnitude, and my own inefficiency; on account, also, of the almost insuperable difficulties which stand in the way of perfecting it, and from a consideration of the respect due to the Assembly before which I have to perform it.

The present Memorial, unavoidably, on my part, does not fulfil the injunction 50 of the Law 106. The System of Finance has but recently been sanctioned, and a Year must elapse before the production of the Accounts from the various Departments can take place, simultaneously, with those of the Treasury.

I took possession of the Ministry on the 9th of August. Literally speaking, the period is short enough, but the difficulties of the moment have rendered it still more insufficient. I labour with anxiety, I make some progress, but much that I propose to myself is paralysed by inaction and ignorance, by the necessary consequences of the troubles of the times which have preceded, and by the difficulties inherent to new Establishments.

I do not, in consequence, flatter myself to be enabled to present this Memorial, in the correct shape of which it is susceptible, but I shall render it as perfect as it is possible. The matter may be divided into Four Points:—1. The condition in which the Treasury was.—2. That in which it now is.—3. The state in which it is absolutely necessary that it should be placed.—4. The means of attaining that object.

I. The first of these, however, has been performed by my Predecessors since the formation of the Ministry; but in order at once to avoid repeating what has been described by superior hands (the state in which the Treasury stood before our happy emancipation), and to avoid an improper omission in the Memorial, I shall explain in the Second Point, to which I now proceed, the origin of the Revenues called *General Revenues*,—their progress, decline, and present state.

II. The Ministry is discouraged at finding that the laborious endeavours of four preceding Ministers to investigate the receipts of the Revenue satisfactorily, have proved unavailing.

The confusion and want of information in the Superior Departments, arise from the circumstances of the moment. In France and Spain similar causes have produced a similar uncertainty. The *Exposés* of the Ministers of Finance in both of those Kingdoms afford proofs of the fact. Neither policy nor experience have made Nations acquainted with any means of peaceably throwing off a tyrannical domination, such as we have suffered under. The possession of liberty compensates for the evils inseparable from the attempts to acquire it. Amongst these evils, the destruction of Public Documents may be reckoned; and the confusion in the Accounts, which studied suppression and complexity, for the purpose of concealing guilt, have created. It is under a knowledge of the causes of the existence of these evils, that the Ministry has attempted to remedy them.

#### BRANCHES OF THE PUBLIC REVENUE.

##### *Duties of Importation and Exportation.*

A Custom-house was first established at Vera Cruz, in 1530, and a Receiver was placed at Acapulco as early as 1562. These, and subsequently San Blas, were the only Ports in Mexico for the export and import of Produce and Manufactures; but the List now comprises, also, Alvarado, Campeachy, Tampico, Altamira, Soto La Marina, and Refugio, in the Gulph—and Mazatlan and Guaimas on the Pacific. The changes which have taken place in the Tariff, and

the extension of the number of Ports, prevent the Minister from comparing the present and past produce of this branch of the Revenue.

*Duty on Introduction into Consumption—(Derecho de Internacion.)*

This Tax was imposed by a Sovereign Decree, dated 4th of August, 1824. The recentness of the imposition, prevents an exact Estimate of its amount; but as the basis was 15 per cent. on Foreign Produce, an estimate has been formed, which will be found in the Abstract.

*Revenue from Tobacco.*

By a *Cedula* of the 13th of August, 1764, a monopoly of Tobacco was decreed throughout the Mexican Nation. The average of the first five years produced 652,213 dollars net, and its Produce progressively increased till it reached, in 1808, 4,447,486 dollars. In 1809 it decreased to 3,579,550. The net produce is now reduced to 648,147. From its present state of decline to absolute annihilation, is but a step; and either this must take place, or the remedies which are about to be proposed must be applied to it.

*Revenue from Gunpowder.*

This commenced as early as 1571. Its average produce in the five years ending 1793, amounted to 505,101 Dollars. The average from 1795 to 1799 was 669,648. It declined in 1822 to 167,412, and is now 178,546.

*The Alcabala on Tobacco in the Countries of its Production,* produced, in 1809, 103,435 dollars. It is not possible now to estimate its probable produce correctly, but the average of two years will be given in the Abstract.

*Revenue of the Post Office.*

This Revenue produced on an average, 181,156 dollars, from 1794 to 1798. In 1822 it had declined to 122,114; but it appears to be again increasing, as will be seen in the Abstract.

*Revenue of the Territories of the Federation.*

The Federal Constitution declares Upper and Lower California, Colima, and Santa Fé of New Mexico, to be Territories of the Federation. A Sovereign Decree of the 24th of November last, declares also Tlaxcala to be a Territory of the Federation. The probable produce of their Revenues is mentioned in the Abstract.

*National Property.*

These consist of the Property of the Charitable Fund of the Californias, of Temporalities, and of the Inquisition. Others will also be added, in virtue of the Law for the Classification of Revenues.

*California.*

The Missions in California were formerly under the direction of the Jesuits, and on the dissolution of the Order, were taken into the hands of the Government. The Revenues derived from thence do not

defray the Expenses of the Missions ; so that California is at present of no importance as a source of Revenue.

*Inquisition.*

The Funds formerly belonging to this Body produced 61,713 dollars ; the Rents of Houses 6,500, and suppressed Canonries 30,000. The produce has declined since 1811, and a very small part can now be reckoned upon.

*Averia (Average.)*

(This branch of Revenue, consisting of a variety of ad valorem Duties [say  $1\frac{1}{2}$  per cent.] on Cargoes, is destined for the Sinking Fund. It is, however, at present included under the head of the general Revenues, as the direction of the Sinking Fund has not yet been established. The produce has fallen off in the same proportion as the Imports and Exports.

*Tolls.*

This branch of Revenue was created in 1796, for the purpose of opening a Road from Mexico to Vera Cruz. Its produce was at first 74,000 dollars, but, in 1823, it did not exceed 31,556.

*The Mint (Casa de Moneda) of Mexico.*

The Sovereign Decrees, No. 106 and 125, require me to speak of this Establishment. Its name is well known throughout the World from its extensive operations, which amounted to 20 millions of dollars Annually. The Treasury has benefitted greatly by it, and in cases of emergency, expenses have been defrayed by means of its assistance. At present, it produces nothing. To aid the miners, and encourage mining, the Supreme Governing Junta has reduced the Duties on Coinage to a minimum, so that the coinage does not pay the expenses ; as the quantity coined is small, while the expenses of the Establishment are increasing. In this situation I found it on entering the Ministry.

Its first establishment was ordered by a *Cedula* of the 11th May, 1535. After 1733, the working of money, except on account of the Government, was prohibited. A Fund of a million of dollars, was subsequently formed, for the purchase of Metals at fixed prices. This was increased to 2,600,000 dollars, by an Order of September 16, 1780 ; but the Fund is now reduced to little more than 100,000 dollars.

To this Establishment, was united, in 1779, the assaying (*apartado*) of gold and silver. Every thing was entrusted, and still is entrusted, to the charge of a Superintendent. In the average of five years, from 1778 to 1782, the minting of silver and gold produced 1,565,185 dollars ; from which, when all the expenses were deducted, there remained 1,139,462 dollars net.

At that time, conformably to Ordinance, there was paid, on silver with gold, on each mark of metal reduced to the standard of the dollar, 5 reals 17 maravedies ; for loss and waste, 27 maravedies ; and for refining, when that was necessary, 8 maravedies.



There remained to the Establishment, for expense of labour, 3 reals 32 maravedies. On each mark of silver coined, 18 grains short weight was allowed. Four drachms were also paid on each piece of metal, under the name of *bocados* (mouthfuls), for the Assayers, who had to defray all the expenses of the assay :—and on every mark of gold coined, there was a gain to the establishment of 7 dollars, 7 reals, 2 maravedies.

At present only 2 reals per mark are paid ;  $8\frac{1}{2}$  grains short weight is allowed, and there remain to the Establishment on each mark of gold coined, 2 reals.

From this reduction, and the absence of the profit of 13 grains on what was called yielded gold (*oro cedido*), which, on account of the small amount of the present manufacture, is not rendered, the decline of the Establishment has proceeded. In 1823 a loss of 37,233 dollars, 5 reals, 8 grs. was experienced ; and that of 1824 is calculated at 25,000 Dollars.

#### *Foreign Loans.*

A Loan was proposed by Don Bartoleme Vigors Richars, in the name of the House of Barclay, Herring, and Co., of London, on account of which he advanced 500,000 Dollars, but this did not take effect. Another by Don Robert Staples, who, in money, credit, and tobacco, furnished the Government with 1,263,701 Dollars. The last, which still exists, consisted of £.3,200,000 sterling, which Don Francisco Borja Migoni, contracted in London, with the House of B. A. Goldschmidt and Co. This, after the deductions for the Contract, was reduced to about 5,900,000 Dollars, which the Government could dispose of, as the respective instalments become due. It had done so in fact of the sum of 2,271,153 Dollars, 3 reals, up to the time of my entering the Ministry.

Of the 3,628,836 Dollars, 5 reals, remaining disposable, 1,652,521 have been disbursed, and have been applied, in the most economical manner ; to the assistance of the Californias, which had been for many years neglected by the Government, and were reduced to the greatest distress ; to the outfit of Legations ; the organization of the Army ; contracts for Clothing ; the purchase of Vessels, and also of Tobacco, in order to take as much as possible of the latter out of the hands of the growers, with the laudable object of preventing frauds.

There remain for the year 1825—1,976,315 dollars ; from which one-third is to be deducted, agreeably to the Regulations for the establishment of the Sinking Fund. The remainder will be accounted for in the Abstract of the Revenue.

A new Loan for £.3,200,000 sterling has been contracted for, by way of commission, on account of the Mexican Nation, with Manning and Marshal, as the Representatives of the House of Barclay, Herring, Richardson, and Co., of London, under the condition of their being able to realize it within the Year stipulated for in the

twelfth Condition of the Loan concluded with Goldschmidt, through Migoni, which Year expires in February next.

The Government, under the authority of the General Congress, of the 27th August, 1823, deviated from the former methods, and opened its Contract for the sale of its Bonds in Foreign Markets to the most favourable Bidders. The object was to obtain for the Republic the gain which must have been otherwise had by the Contractors, if the Bonds had been sold at a fixed price.

ABSTRACT of the GROSS PROCEEDS, EXPENSES, and NET PRODUCE of the GENERAL REVENUES belonging to the FEDERATION, by the Sovereign Decrees, Nos 70 and 81.

	Whole Receipt.	Expenses of Administration.	Pay of Officers.	Net Produce.
Duties on Import and Export.....	2,732,995	29,462	127,799	2,575,732
Duties on introduction for consumption ( <i>Derechos de internacion</i> ) .....	1,618,223	..	..	1,618,223
Revenue from Tobacco, including in the column of expenses the purchase and manufacture.....	1,029,671	381,524	..	648,147
Revenue from Gunpowder .....	178,546	54,015	40,228	8,303
Alcabala on Tobacco in the Countries where it is produced .....	39,784	..	..	39,784
Post Office.....	342,533	111,480	66,807	164,246
Lottery .....	95,858	11,735	13,985	70,136
Salt Works.....	68,382	240	12,815	26,367
From the Territories of the Federation .....	16,147	649	5,546	9,950
National Property; property of the Compassionate Fund of Californias, of Temporalities, and the Inquisition .....	66,692	900	23,546	42,245
Tenths in the eight Cathedrals of the Nation .....	529,989	..	..	529,989
Rents of the See of Mexico .....	86,929	..	..	86,929
Ditto from the Dignity of Treasurer .....	8,194	..	..	8,194
Contingent of the States .....	2,285,877	..	..	2,285,877
Average ..... ( <i>Averia</i> ) .....	169,664	..	..	169,664
Tolls .....	47,994	..	10,540	37,454
Mint .....	..	..	..	..
Sums due to the Salt Revenue, expected to be recovered.....	55,579	..	..	55,579
Foreign Loan.....	1,317,543	..	..	1,317,543
Dollars.....	10,690,608	618,968	301,267	9,770,372

III. On the Third Point, it will be sufficient to give a General Abstract of the Expenditure, which is founded on the Estimate of the different Ministers, preceded by the detailed Estimates of the two great Departments of the Army and the Marine :

## ESTIMATE.—ARMY.

	Dollars
Secretarial of State for War and Marine .....	23,220
Expenses of ditto .....	2,400
Staff .....	95,314
Sixteen Commandants General .....	3,200
Six Principal Commandants .....	900
Commissariat Office .....	7,770
Pay of Six Generals of Division employed ....	36,000
Pay of Six reduced ditto .....	24,000
Pay of Ten Generals of Brigade employed.....	45,000
Pay of Seven reduced ditto .....	21,000
Director of the Medico-Chirurgical Body.....	1,800
Corps of Engineers .....	24,269
Artillery, Three Brigades.....	471,678
Infantry of the Line.....	1,835,761
Halberdiers .....	1,339
Garrison Companies of Cavalry.....	713,897
Cavalry of the Line.....	2,253,548
Companies of Invalids.....	16,631
Battalions of Active Militia of Infantry, in the Interior of the Republic .....	3,442,389
Battalions and detached Companies, on the South and North Coast .....	1,061,169
Cavalry of ditto in the Interior of the Republic .....	1,612,590
Squadrons and detached Companies on the Coast .....	950,828
Twelve Companies ditto of Artillery .....	246,931
Civil Department of Artillery .....	24,454
Manufactory of Arms and Ammunition .....	42,125
Depot for Officers.....	114,474
Detached Officers at various Points.....	150,796
Retired Officers and Soldiers .....	325,497
Military <i>Monte de Piété</i> .....	31,432
Rewards of Constancy .....	148,523
Pensions to retired Employés, and old Patriots .....	14,810
Pension to the Widow of General O'Donoju. ....	12,000
Extraordinary Expenses .....	2,256,238
Total .... Dollars	16,011,990

In this Estimate the subsistence of the Army is calculated on the ratio of the full Force required by Law: it is calculated that, although neither of the three arms is as yet complete, before the end of 1825, the Army will be raised to its full complement. The Ministers of War and of Finance agree, however, to deduct a fourth part from the above Estimate, and to take it at 12 millions of dollars, (including the Extraordinaries), at which sum, it is stated in the Abstract of Expenditure.

## ESTIMATE.—MARINE.

	Dollars
Department of the South Sea.....	31,466
Department of the North Sea.....	60,467

Officers, Crews, Arming, Victualling, and ordinary Repairs of Eight Ships of burden.....	720,956
Ditto of two Schooners, of twelve guns in battery, and 1 on the gang-way .....	96,349
Ditto of seven armed Schooners and five small Craft ( <i>balandras</i> ) .....	292,128
Seven Companies of Infantry and one of Artillery .....	133,941
Building of Two Frigates of 44 guns, Three Corvettes of 30, and Two Brigs of 20 guns .....	1,032,097
Hospitals .....	117,128
Building of Arsenals, Magazines, &c. ....	450,000
Dollars ....	2,934,533

## GENERAL ABSTRACT.

Expenses of Administration of the Taxes .....	618,968
Pay of the Officers .....	301,267
Estimate of the Ministry of Foreign and Internal Affairs .....	105,737
Ditto of the Ministry of Justice and Ecclesiastical Affairs .....	77,220
Ditto of War for the Land Force.....	12,000,000
Ditto for the Marine.....	2,934,533
Ditto of Finance.....	1,083,143
Arrears to be paid in 1825.....	865,804
Total.. ..Dollars	17,986,674
Gross Produce of the Revenue .....	10,690,608
Deficit .....	7,296,066

IV. And last Point.—Under this head the Minister considers the means of supplying the large deficit exhibited in the preceding Accounts. Nothing, he says, would be more easy than to resort to the obvious expedient of new Taxes to raise the Receipt to the level of the Expenditure. The condition of the Contributors, their impoverishment, after the struggle which they have for so many years maintained, induce him, however, not to resort to any expedient of this description. The Income which is to be derived from the present branches of the Revenue, and by the revival of some of the old ones, without altering the System, or incommoding the honest and peaceful Citizen, will be sufficient. The first object to which he turns his attention, is the Monopoly of Tobacco; formerly one of the most productive sources of Revenue, which, but for its decline, might have relieved the Government from many of its difficulties. He proposes a zealous union of the different States in preventing frauds, which have nearly annihilated a branch of Revenue which, at one period, produced 4,447,000 dollars.

He proposes that the Provinces should altogether abstain from interfering in the manufacture and taxing of Tobacco, as the best means of assisting the necessities of the Treasury. He states, that in the five years from 1795 to 1799, the gross receipts of the Treasury were 20,462,317 dollars.—“How fortunate,” he observes, “should we deem



ourselves, could we again realize the net amount of those Receipts, which was 15,325,065 dollars. It appears to be easy to do so, if we abandon unknown roads and return to those already trodden, sure of reaching the point to which we direct our steps. At the period to which I have referred, Tobacco produced 3,927,898 dollars net. The coinage of gold and silver 1,258,338 ; and the Duties on both metals, in ingots, 2,111,474 dollars. The three amounted together to 7,297,710, and it will be seen that we can collect, in the year 1825, 6,649,563 dollars, if the Revenue of Tobacco, the Coinage, and the Duty of Quintos, be carried by the Legislative Power, to the height at which they might be maintained, now that the number of Consumers is increased by the presence of Foreigners, and that the Mines are worked at the expense of the latter.

“ If the Duty of Quintos be supposed to be derived from conquest, let it change its name, like that of New Spain, converted into the Federal Republic of the Mexican States. If a laudable attempt to encourage mining has taken the item of coinage out of the branches of the Revenue, we reluctantly expose the evil effects of so benevolent an endeavour, and express an apprehension that, in the end, the riches buried in the bowels of the earth will remain there, even after years of protection.”

The Minister concludes, (after anticipating some objections which might be raised on account of the separate rights of the States of the Federation,) by stating that he had performed the duty which was imposed upon him by the fourth division of his subject, in pointing out the possibility of covering the deficit which the *Exposé* exhibited, without odious direct Contributions, or the imposition of new indirect ones—“ The re-establishment of the ancient monopoly of Tobacco on its former level,” says the Minister, “ that of the duties on Gold and Silver in ingots, and of those on Coinage, and the suppression of some of the Maritime Customs, which, as they are part of the general Revenue, cannot be opposed to the interests of the States, will suffice to fulfil that object.”

The Statement of Finances was followed by some general recommendations to economy in all branches of the State.

JOSE IGNACIO ESTEVA.

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*CONVENTION between Austria and the Two Sicilies, relative to the Stay of the Austrian Troops in the Neapolitan Territory.—Signed at Milan, 28th May, 1825.*

LA Transaction conclue le 31<sup>e</sup> Août 1824, entre les Cours de Vienne et de Naples, avec l'assentiment de S. M l'Empereur de Russie, Roi de Pologne, et de S. M. Le Roi de Prusse, en vertue de laquelle la

force du Corps Auxiliaire de Troupes Autrichiennes, stationné dans le Royaume des Deux-Siciles, avait été réglée au nombre de 33,500 hommes, ayant fixé la durée de cet Arrangement jusqu'à la fin du mois de Mai 1826, S. M. Sicilienne a pris en considération, que, d'une part, il se peut que, d'ici à ce terme, la force numérique de l'Armée Sicilienne et l'état auquel sa réorganisation pourra être portée, rendront encore nécessaires au Royaume la présence et l'appui de troupes à l'expiration de la Transaction du 31 Août 1824 ; et que, d'autre part, il est également hors de doute, que la tranquillité publique dans le Royaume des Deux-Siciles se trouve déjà tellement affermie, que l'on peut, dès ce moment, s'occuper de la diminution du Corps Auxiliaire ; et S. M. l'Empereur d'Autriche n'ayant de son côté rien de plus à cœur, que d'entrer de commun accord avec Ses Alliés, dans tout arrangement propre à accélérer le terme du rappel entier de Ses Troupes du Royaume des Deux-Siciles ; Leurs dites Majestés, dans cet état de choses, ont jugé convenable de nommer des Plénipotentiaires pour discuter, arrêter et signer des Articles Additionnels à la Transaction du 31<sup>e</sup> Août 1824, savoir :

S. M. l'Empereur d'Autriche, le Sieur Charles-Louis Comte de Fiquelmont, Son Chambellan et Conseiller intime actuel, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près S. M. Sicilienne, etc. ;

Et S. M. le Roi des Deux-Siciles, le Chevalier Don Louis de Medici d'Otaiano, Duc de Sarno, Gentilhomme de la chambre, Grand-mâitre Sémainier de S. M., Conseiller Ministre-d'Etat, Ministre Secrétaire-d'Etat des Finances, Président par intérim du Conseil des Ministres, chargé par intérim du Portefeuille des Affaires Etrangères, etc. ;

Lesquels, après avoir fait constater de leurs Pouvoirs, sont convenus des Articles suivans :

Art. I. L'Armée Auxiliaire Autrichienne continuera à rester à la disposition de S. M. Sicilienne jusqu'à la fin du mois de Mars de l'Année 1827, aux conditions fixées par la Convention conclue à Naples le 18 Octobre 1821, et selon les modifications stipulées par les Articles Additionnels signés à Naples le 24 Avril 1823, et par ceux également signés à Naples le 31 Août 1824, auxquels sont ajoutés les Articles suivans :

II. L'état des Finances de S. M. Sicilienne ne permettant pas une plus grande dépense, que celle qui a été préalablement fixée pour l'occupation, telle qu'elle devait avoir lieu aux termes des derniers Articles Additionnels du 31 Août 1824, jusqu'au mois de Mai 1826 ; nulle charge pour les finances de l'Autriche ne devant, d'un autre côté, résulter de la prolongation du terme de l'occupation, le nombre des troupes Autrichiennes sera diminué proportionnellement, dans les deux parties du Royaume en-deçà et au-delà du Phare, de manière à produire des économies telles à pouvoir prolonger l'occupation jusqu'au terme fixé par l'Article précédent, sans dépasser les dépenses fixées par les Arti-

cles Additionnels du 31 Août 1824, et en arrêtant le *minimum* de la reduction au nombre de 15,000 hommes.

III. Si cependant l'état militaire de S. M. Sicilienne avait acquis un degré de force numérique, assez élevé pour que S. M. Sicilienne jugeât convenable de réduire davantage ce nombre, sans compromettre la sûreté du Royaume, ce *minimum* serait alors, à sa demande, réduit au nombre de 12,000 hommes, l'économie provenant de la réduction de 15 à 12,000 hommes, se faisant au soulagement des finances de S. M. Sicilienne.

IV. Les présens Articles Additionnels réclamant un mode d'exécution dans les limites précisées par l'Article 2. ce mode formera l'objet d'un Arrangement entre le Gouvernement de S. M. Sicilienne, et le Général en Chef de l'Armée d'Occupation.

V. Les Articles des Conventions du 18 Octobre 1821, du 24 Avril 1823, et du 31 Août 1824, qui ne subissent ni changement ni modification par les présens Articles Additionnels, demeurent en pleine vigueur.

En foi de quoi, les Plenipotentiaires respectifs ont signé les présens Articles Additionnels, et y ont apposé le Cachet de leurs Armes.

Fait en double à Milan, le 28 Mai, l'An de grâce 1825.

LE COMTE DE FIQUELMONT.  
LE CHEVALIER DE MÉDICI.

*CORRESPONDENCE between France and Colombia, relative to the proceedings of Colombian Privateers.*

*M. Angeluci to Don Pedro Gual.—(Translation.)*

EXCELLENCY,

*Havannah, January 15, 1825.*

BEING appointed by H. M. the King of France, Consul-General and Inspector-General of the French Commerce in the Islands of Cuba, Porto Rico, &c. with powers to extend my charge, and, if there be occasion, my protection, to the navigation and property of my Countrymen in the Gulf of Mexico and on the Coasts of Terra Firma; it is not without regret and extreme surprize that I find myself under the necessity of commencing my functions by the most serious complaints against your Government.

From the commencement of the unfortunate dissensions, which divide the Spanish Colonies from their Mother Country, the Privateers of the Republic of Colombia had respected the French Flag, and the French Government, from a noble and generous disposition, was inclined to consider the Subjects of the Republic only as Sons of the ancient and loyal Spaniards, whose political discussions with their brethren in Europe should be left to prudent reflection, and, above all,

to time, which alone calms passions, enlightens men's minds respecting the real interests of Nations, and gradually conducts them to prosperity.

At present, however, without any cause or provocation, the Privateers of the Republic detain our Vessels, make prizes of them, or keep them in a state of blockade, by fear and terror, in the different Ports of the Island of Cuba.

I have received complaints on this subject from all quarters, and without going into a detail of similar outrages, a single one, and it is not the last, the capture of the *Uranie* from Bordeaux, would be sufficient to cast odium on the principles of any Nation that should not disapprove of them.

I hope, trusting to the rectitude of the President of the Republic, to receive his entire disapprobation of these proceedings; in fact, I hope to receive it from Y. E. accompanied, as it ought to be, by the reparation which the outrage requires, and by a positive promise of indemnification to the Parties concerned.

In the contrary case, I shall be obliged to call the French Naval Forces stationed in the Antilles, to the Coasts of Colombia, till I receive further orders from my Government.

I hope to have no occasion to resort to this measure.

I am, with high consideration, &c.

J. M. ANGELUCI,

*Consul-General and Inspector-General of French Commerce,  
in the Islands of Cuba, Porto Rico, and their Dependencies.*

P.S.—I commission the Marquis de Magnan, who commands under me, to deliver this Despatch to Y. E. himself, and to bring me your answer. His Majesty's Frigate, the *Constance*, which takes him to Carthagena, will cruize on the Coasts of Colombia, until his return from Santa Fé de Bogotá. But the Comte de St. Simon, her Commander, will refrain from every hostile act against the armed Ships or the Commerce of the Republic, should not similar outrages urgently call for prompt and just reprisals.

*His Excellency the Minister for Foreign Affairs of the  
Republic of Colombia, at Santa Fé de Bogotá.*

*Don Pedro Gual to M. Angeluci.—(Translation.)*

SIR,

*Bogotá, April 28, 1825.*

THE Marquis de Magnan had the goodness to put into my hands, on the 22d inst., your Letter dated Havannah, 15th January last, in which you complain, in general and indefinite terms, of a variety of excesses, committed by the armed Vessels of the Republic of Colombia on the Coasts of the Island of Cuba, and especially of the capture



of the *Uranie*, and for which you demand a complete reparation on the part of my Government, and intimate that, in the contrary case, you are resolved to call the French Naval Forces stationed in the Antilles to the Coasts of Colombia, until the further determination of His Most Christian Majesty should be known.

The Executive, to whom I have communicated the contents of your Letter, was already informed of the complaint relative to the detention of the *Uranie*, as you will find by my answer to H. E. Rear Admiral Jurien. But this is the first time that an account has been received here of armed Ships of Colombia having been wanting in their duties, or having misconducted themselves by such disgraceful outrages, respecting which my Government could have wished that you had entered into further particulars ; with a view to the punishing of them, if they were really such as they are represented to have been. During the fifteen years, however, of the present painful and complicated war, owing to the obstinacy of Spain, the Government of the Colombian Republic, whenever it has received any Complaint founded on positive facts, has proved to the World that it possesses sufficient energy to apply the severity of the Laws to those who may have violated them.

If, in the Island in which you reside, Pirates are permitted to shelter themselves with impunity, of whose practices complaint is justly made by the Merchants and Mariners who trade in that Quarter, the case is not the same in Colombia, where the rigorous administration of justice would speedily have put a stop to such scandalous depredations. The position, therefore, of that Island, in regard to the Maritime Commerce of the World, leads me to suspect, that some of its Inhabitants, confounding the Vessels of Colombia with others fitted out there, under fictitious, or without any, Flags, have conveyed false information to you, from motives as sinister as they are opposed to peace. Fortunately the Pirates, generally belonging to the Island of Cuba, are already so well known to all Maritime Powers, that I flatter myself, before you have resided much longer in that Colony, you will learn who are the authors of the severe calamities which on various coasts are inflicted on mankind.

You instance the detention of the *Uranie*, as a proof that such outrages have been committed. I am under the necessity of differing from you, materially, with respect to that part of your letter. The name of outrage may, indeed, be given to every act violently committed against the Laws of a Country or against those of Nations. The conduct of the Captor of the Spanish property found on board the French Vessel, *Uranie*, certainly does not fall under this description. He did no more, in that case, than comply with the 14th Article of our Ordinance for the regulation of Privateering, as you, Sir, will perceive by the enclosed Copy of the Sentence of Condemnation.

Let us consider then, whether the Government of Colombia can at present legally act upon the principle that neutral ships do not protect enemy's property. The manner of applying this doctrine has indeed been the origin of disagreeable disputes between Neutrals and Belligerents, but it does not cease on that account to be the less conformable to the Law of Nations, acknowledged almost from the days of the Romans to these times. In the diplomatic history of Europe, and particularly in that of France, we find it perfectly and uniformly established. The greater part of the Powers which adhered to the System called the "*Armed Neutrality*," acted in a different manner, with the manifest view of establishing principles opposed to those which were originally introduced by the Roman Laws; and, successively, by the Chambers of Commerce, and by the Belgic Councils; and Public Writers, of equal respectability with Vattel, laboured to bring about a contrary view of the question, with as much zeal as they had before displayed in advocating the constitutive principles of that *Armed Neutrality*.

To this must be added the very powerful consideration, that Spain, being still unhappily engaged in War with the Republic of Colombia, that Republic cannot refrain from adopting the same legal measures as those employed by her Enemy. Spain in all her Ordinances on Privateering, has declared the principle that free flags do not make free merchandize. And why may not the Republic of Colombia do the same?

Hence it may be asserted that, as the Spanish property alone, found in the *Uranie*, has been confiscated, the Captor did not commit any aggression. If you have been of this opinion, I have no doubt but that, after you have read the Sentence, you will be convinced of the contrary. On the other hand, if the Government of H. M. C. Majesty consider, that the maxims adopted by this Country are injurious to the interests of French Subjects, the consequence which appears to result, is, that Colombia and France should come to some friendly Arrangement, to settle their reciprocal interests in an amicable and satisfactory manner. To accomplish this object the Colombian Government has not only made every favourable advance, but actually keeps an Agent in Paris for that purpose, and will now name a Minister Plenipotentiary to effect it, should it be considered necessary.

I have spoken very frankly, upon this subject, to the Marquis de Magnan, from whose excellent character and goodness, I flatter myself you will receive correct information. Should you think proper, after these explanations, to act hostilely, my Government will have the satisfaction of not having provoked the warfare, and will meet it by its own honour, that of the Colombian Nation, and the justice of its Friends and Allies.

In the mean time, I hope, Sir, that you will see in this Reply an additional proof of the pacific sentiments of my Government. It might, with every propriety, have refused to have entered upon any explana-

tions with you, whose Consular functions do not strictly extend to such matters; but it has preferred authorising me to address you on this occasion; in as much as it is ever honorable to every Government, as well as to every private individual, to make it evident that there has been no deviation from the path of justice.

Accept, Sir, I entreat, the assurances, &c.

PEDRO GUAL.

*The French Consul-General, Havannah.*

***DECREE for the encouragement of Foreigners, resorting to The United Provinces of Central America.***

(Translation.)

*Guatemala, 22d January, 1824.*

THE National Constituent Assembly of the United Provinces of the Centre of America, desirous of promoting the aggrandizement and prosperity of the said Provinces, decrees as follows:

I. All Strangers who may wish to come to any part of the United Provinces of the Centre of America; consisting of Chiapas, Costarica, Nicaragua, Honduras, San Salvador, Guatemala and Quesaltenango, may do so on the terms and in the manner most convenient to them.

II. Every Stranger, who, agreeably to what is declared in the preceding Article, may resort to either of the said Provinces, shall be admitted by their Local Authorities, and shall be at full liberty to occupy himself, in the exercise of any trade, craft, or industry, that may be most convenient to him; not excepting the working of the mines; since, by the present Decree, all Laws are abrogated which prohibited the working of the mines by Strangers.

III. Every Stranger, being in the Territory of the said Provinces, who may desire to settle himself therein, shall make a declaration to that effect before the Municipality of the Place in which he may chuse to reside. The Municipality, in such case, shall make an entry in the Register of the Census of the District, of his name and that of his family, if he have any, declaring whence he came, his age, condition, and business: and from the date of such entry he shall be considered as a Resident, and enter upon the period, fixed by the Constitution of these States, for acquiring the right of Citizenship therein, enjoying in the mean time all other rights attached to naturalization, without detriment to his claim to the special Certificate of Citizenship, agreeably to the Provisions of the Fundamental Law.

IV. From the day on which any Stranger may become a Resident of any Place within these States, agreeably to the preceding Article, he may, like any Native of the Country, acquire any waste land, or any property of the Inhabitants in the place of his residence, in conformity with the existing Laws.

V. Every Citizen of these States, and every Stranger, of what-

ever Country he may be, even before settling himself in the Territories of these United Provinces, may, by himself alone, or by forming a company not exceeding three persons, treat for the establishing of one or more new Settlements; for which purpose he will present his project thereof to the Government of the Province within which the lands may be situate in which he proposes to fix them. The respective Legislature will examine the Proposal made, and if found conformably to the Laws in force, and to the provisions of this Decree, or being amended agreeably to them, shall approve it, and have it immediately carried into effect, giving however an account of the same to the Government of the Federation, which will thereupon forward it to the Federal Congress for its complete validity and confirmation.

VI. The Authorities of each Province will not admit any proposal for a Settlement, unless the projector offers, as settlers in each settlement, at least fifteen families; that is, fifteen free married couples. The respective Government will fix a time within which the projector must present, in the new Settlement, the number of families for whom he has made his proposal, under the penalty of forfeiting a proportion of the rights and indulgencies stipulated in his favor in the contract; and the same shall be void, should he not at least produce the said fifteen married couples.

VII. When ten families, at least, of those comprized in the proposal, shall have presented themselves on the lands destined by the Government of the Province for the establishment of the new Settlement, the due formation of the same shall be proceeded upon, when all shall swear to observe the Political Constitution of the Province, before the Commissioner appointed by the Provincial Chief; and the election of the Municipal Officers shall take place according to the forms prescribed by the existing Laws.

VIII. The lands designated by the Governments of the respective Provinces for any new Settlement, must all be waste, that is, free from all right of property or possession, in regard to any particular Person or Community; and all lands that may have belonged to Corporations or to Religious Foundations, shall be considered as such: but in case the appointed lands shall have inhabitants bordering on them, they shall be required to mark and fix their limits.

IX. The present Decree assigns, in full property, to each married couple, comprehended within the number of those described in any proposal, for a New Settlement, a portion of land of which the superficies shall be comprized in a square of a thousand varas each way; but without the condition that such land shall be of one entire piece.

X. Every unmarried person of either sex, comprehended in the proposal for a new Settlement, who shall marry within six years after



the establishment of such Settlement, shall, immediately on the proof of such marriage, obtain a portion of land of the extent of that described in the preceding Article; and should such marriage be contracted with an original inhabitant of the Country, or with a person of colour descended from Natives, the person so marrying shall receive a double portion of land.

XI. To the Projector of a new Settlement will likewise be ceded in full property, a square of land of a thousand Varas (in every respect equal to what has been expressed in the preceding Article,) for every married couple, which, agreeably to his proposal, he shall have conveyed and established in that Settlement.

XII. The three preceding Articles will serve as a general basis, for fixing, with the utmost precision, the property in land offered to Projectors of new Settlements, and to each of the new Settlers, whatever may be their number, beyond that mentioned in the Contracts.

XIII. Every married couple, or family, of whatever condition, which may not be included in the proposal for a new Settlement or Settlements, but may wish to join and be attached to any one of them, by defraying the expense of their conveyance thither, shall be at any time at liberty so to do: and should they become Citizens within the first six years, reckoning from the date of the legal establishment of the new Settlement, in such case a portion of land shall be ceded to the said persons in full possession and property, of double the extent of that designated in the 9th Article, for each married couple who settle under the proposals of the Projectors, and at his cost. Single men will also be admitted; and to these, should they settle within the six years above described, will be ceded in full property, a square of land of a thousand Varas, as mentioned in the 9th Article.

XIV. Every new Settler shall be bound to cultivate, or occupy, according to the nature of the soil, the land ceded to him by this Decree within the term of eight years, reckoning from the day of taking possession thereof, on pain of forfeiture of the whole, or part thereof, according as he may fail in the obligation imposed by this Article.

XV. All lands ceded by virtue of this Decree to the Projectors of New Settlements, must be cultivated or occupied, according to the quality of the soil, or the purposes for which the cession was made, within eight years, reckoning from the day on which the said Settlement was established, on pain of forfeiture of the whole, or of the part not cultivated or occupied.

XVI. The Governments of the respective Provinces are authorised to grant lands, in addition to those ceded by this Decree, to such of the Settlers as shall, within the period already prescribed to them, have cultivated or occupied the lands granted to them; and also, to such as may have applied themselves to the breeding of cattle, and require a larger portion of land to increase their stocks.

**XVII.** Every new Settler may at any time dispose of the lands granted to him by this Law, if, before such disposal, he shall appear to have cultivated or occupied them, according to the nature of the soil and the purposes for which they were granted. From this rule are exempted the Projectors of new Settlements, who may freely dispose of and transfer the lands obtained by their Contracts, from the day of taking possession of the same, without the obligation of cultivating them; as also the Families mentioned in the 13th Article, who are in possession of a square of land of a thousand Varas, for having settled themselves thereon at their own expense.

**XVIII.** Every new Settler shall be at all times free to return to his own Country, or to go and reside wherever it may suit him; and in such case he may export the whole of his property to the place of his destination, without the payment of any duties whatever; and he may freely dispose of the land granted to him, in the whole or in part, which he may have cultivated or occupied; but such part of it as shall not have been cultivated or occupied, will be considered as waste land.

**XIX.** Every new Settler may, from the day of his establishment in a Settlement, dispose, by will, of every sort of property belonging to him, in conformity with the existing Laws, and bequeath to his heirs the right he may have acquired over the land granted to him as a Settler, although he may not have entirely cultivated it; such heirs being subject, by inheriting those lands, to the same obligations as those imposed on the Testator himself.

**XX.** Should any new Settler, in any Settlement, die intestate, the person or persons, whatever may be his or their condition, who, in similar cases, among the Natives of these Provinces, are allowed, by the Common Law, to succeed intestates, shall succeed him by title of heirs ab intestate, in his chattels and rights, as well as in those acquired over lands; the said heirs succeeding also to the obligations and conditions imposed on the intestate.

**XXI.** Every new Settlement shall remain free, for the period of twenty years, reckoning from the day of its establishment, from the payment of every sort of contribution or impost, under whatever denomination it may be known.

**XXII.** Every new Settlement shall be exempt from every species of monopoly, and be allowed to pursue every kind of industry, including that of the working of every description of mines.

**XXIII.** It is conceded also to every new Settlement for the space of twenty years, reckoning from the date of its establishment, an entire exemption from every kind of duty on the exportation of every species of produce, by land or sea, to Foreign States, and of every other commercial article produced by its industry, or by the industry of any other Place in these Provinces, and even of foreign industry, if

shall have been legally imported, subject, however, to the regulations of the respective Custom-houses.

XXIV. The same entire exemption shall be enjoyed by every new Settlement, for the same term of twenty years, on the importation by land or sea, into any part of the Territory of these Provinces, of all produce and commercial effects of national industry; and moreover they may introduce, even from Foreign Parts, free of duty, instruments of iron, or of any other metal, or of wood, useful in agriculture; and all sorts of tools and machines conducive to the encouragement of agriculture, of the arts, and of mining.

XXV. Every new Settler may freely introduce, exempt from import duty, or any restriction whatever, every description of Ships and Vessels, even of foreign built, under the obligation of registering them with the proper Authorities, as National Vessels, and the property of the importer.

XXVI. Every new Settlement shall be bound to contribute towards the expenses of a purely municipal and indispensable nature, or of general utility; proposing through the medium of their Municipalities, the means they may think adequate to meet such expenses; which, when approved by the respective Governments, shall be put in practice.

XXVII. All Persons are prohibited from introducing from Foreign Parts, into the new Settlements that may be formed in the Territory of these Provinces, Slaves of any sex or age whatsoever; the latter becoming free, de facto, on their being introduced into any of the said Settlements.

XXVIII. The Government, by means of the Envoys of the Federation of Central America, will make this Law known to Foreign Powers, to be published in the places of residence of the said Envoys, enjoining them to promote, by every means they may deem expedient, its easy, ready, and punctual fulfilment.

Let this be communicated to the Supreme Executive Power for its fulfilment, and that it be printed, published, and circulated.

Dated in Guatemala this 22nd of January, 1824.

Ordered by the Executive Government, to be published, &c.

25th January, 1824.

TOMAS O'HORAN, *President*.

JUAN VICENTE VILLA COSTA.

JOSE SANTIAGO MILLA.

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**REPORT of the Minister of the Interior and of Foreign Relations to the Congress of Mexico.—11th January 1825.**

(*Extract.*)

FOREIGN RELATIONS.

(*Translation.*)

THE invasion of Spain by France, and the result of it, drew the attention of Europe to America. The new Spanish Cabinet, eager to

re-establish the dominion of Spain over this Section of the Globe, solicited the Monarchs of Europe to assemble in Congress, to consider our situation and to decide our destiny. It was also expected, that the necessary aid would be thus obtained, to recruit the exhausted resources of the Peninsula. That the fear of reviving the long established monopoly of Spain might not deter Commercial Nations from acceding to this invitation, the King of Spain granted to all Flags the privilege of trading with the Americas, reserving certain advantages to those of Spain. These pretensions of the Cabinet of Madrid are truly astonishing. Presuming on the exercise of an authority over a People who have long since denied her right, Spain desires to assume the charge of Government, whilst she gives to other Nations the advantages to be derived from it. Were she to abandon the chimerical notion of subjecting us, the friendly relations which she might cultivate with us, would secure to her important advantages.

The Spanish Government, by this system, has given a new direction to European Policy. England, in reply to the invitation of the Minister of King Ferdinand, declined attending the proposed Congress; and, in the Papers presented by the English Ministry to the Parliament, which were published, she frankly disclosed the liberal principles which were to guide her conduct. Without refusing to recognise our independence, England desired that Spain should first take this important step, indicating, at the same time, that she would not long wait the tardy policy of the Cabinet of Madrid; and she frankly declared that she could not suffer any Power, or league of Powers, to interfere with an armed force as the Auxiliary of Spain, in the questions pending between her and her Colonies. The determination of the President of The United States of America, announced in his Message to the last Congress, was of a similar character; and as France, about the same time, declared her friendly dispositions towards us, there are well founded hopes that our independence will soon be recognized by other Nations of Europe. This will greatly contribute to the regular organization of the different Governments of our Continent, heretofore administered provisionally, and to our reaping the full advantage of the late glorious Events, which have for ever prevented the restoration of Spanish Dominion in Peru. This flattering perspective will not, however, diminish the vigilance of the Government, which, combining defensive preparations with pacific negotiations, will be ready to conclude honourable peace, or repel hostile invasion.

This is, concisely, the state of Foreign Policy in relation to this Republic; and the measures of the Government have been adapted to the circumstances. A Minister Plenipotentiary was appointed to the Government of His Britannic Majesty, so soon as its friendly dispositions were known; he was also empowered to enter into Negotiations with all the European Powers, not excepting Spain; and, although the



questions agitated with Great Britain have not been definitively settled, they are in satisfactory progress. As our commercial relations with that Country are daily extending, and as the loans intimately affect our financial operations, it has been deemed proper to appoint a Consul-General to that Kingdom, is who authorized to name Vice-Consuls for the ports where commerce should require them. He was particularly instructed in relation to the exercise of this delicate Commission.

The Consul-General appointed by His Britannic Majesty, and other Consuls for the principal ports of the Republic, are in the full exercise of their functions, and their Commissions have been acknowledged by official *Exequaturs*. The Diplomatic Agents from that Government have been received and regarded with the consideration due to a Nation which was the first among those of Europe to open relations of friendship and good correspondence with the Republic. These will become more intimate from the frequent and regular Communications that have been established by means of Packets, which sail from Liverpool every month, for the conveyance of Despatches and Correspondence. They will also be strengthened by the impulse which this arrangement will give to trade, and by the multiplication of commercial interests between the two Nations. Our mercantile intercourse with other Nations has considerably increased; and they now perceive how important to all are the advantages of our Independence.

Hostile measures have been prosecuted against Spain and her Commerce; and to prevent supplies from being sent to the Castle of San Juan de Ulua, a blockade of that fortress has been instituted, which has been respected by the English Vessels of War, anchored at the Isle of Sacrificios.

The Supreme Executive Power has been desirous, ever since the re-establishment of the Sovereign Constituent Congress, of despatching an Agent to Rome, to adjust religious matters with His Holiness. But the causes that have hitherto delayed this intention, will be made known in the Memorial to be submitted by the Secretary for Justice and Ecclesiastical Affairs.

The friendship that has subsisted with The United States of America, since the Declaration of Independence, has not been interrupted. That Government has appointed a Minister Plenipotentiary to reside near this Republic; and the delay of his arrival has had no connection with the friendly relations that unite the two States. Don Pablo Obregon has been sent by this Republic to that Government with a similar rank, and, according to Official Communications, he has been received and recognized by the President at Washington.

The nature of the Cause and the identity of interests, which connect all the Countries of America, that have broken the yoke of Spain, unite them so closely, that, although separated, and acknowledging

different centres of Government, they may still be said to be one whole, composed of homogeneous parts. These circumstances bind them together, and cause the reverses and the prosperity of each to be felt by all. They are disposed mutually to assist in the attainment of that which is their common object.

To regulate our movements, and to organize these combined forces, the Colombian Government conceived the grand design of forming a General League of all the American States heretofore under the dominion of Spain. Invitations for this purpose were made to the Governments, and Treaties of Alliance and Confederation subsequently formed. A Treaty with this Government was concluded on the 3rd of October, 1823, approved by the Sovereign Constituent Congress on 2nd December following, and ratified by the Supreme Executive the same day. It was also approved by the Congress of Colombia, and ratified by that Government; but its publication has been deferred, in consequence of the formal Ratification not having been received.

At the moment of our Independence, the President of that Republic appointed a Minister Plenipotentiary near the Provisional Government which we had at that time, who still continues in the exercise of his functions. The Minister appointed, on the part of this Government, to reside at Bogota, has been prevented from reaching his destination by various causes; but in order that the important Communications arising out of our intimate relations might not be obstructed, the Secretary of the Legation has been ordered to that Court, to exercise the office of *Chargé d'Affaires* till the arrival of the Minister.

The Independence of the ancient Kingdom of Guatemala, having been formally recognized, under the title of The United Provinces of Central America, by a Decree of the Congress, on the 20th of August of last year, a Minister Plenipotentiary, deputed by that Government, has been received, as accredited to this Court. It was determined immediately to appoint a Minister of the same rank to reside at the Capital of that new Republic. This has not yet been done, but may be expected in a short time.

Amongst the Provinces whose Independence was recognized under the preceding title, that of Chiapas, which continued independent of both Nations, was not included. They have acknowledged the right of this Province to determine to which of the two Republics, between which it lies, it would attach itself. To have remained a long time in hesitation would have been equally prejudicial to both; the Government therefore, to hasten a decision, agreeably to the instruction of the Congress, and to give to that decision the character of freedom and formality, proper for Acts of this nature, used the frankest measures, rejecting the most distant advantage of interest or influence, and invited Guatemala to do the same. This gave rise to a Correspondence which has been conducted with that candour and good faith that should ever subsist between two friendly and neighbouring

Nations ; and which, if necessary, will be submitted to Congress. Chiapas, in the mean while, freely exercising its right, solemnly resolved to unite itself to this Republic, with the exception of some Districts, and was admitted into the Confederation, which has the pleasure of witnessing an addition to the number of its States by one of those triumphs of opinion, when uninfluenced by force.

Some movements of the Indians of New Mexico, who lead a wandering life in separate tribes, and also of those who have made advances in civilization, and are settled in different Communities, have menaced that part of the Republic. The imprisonment of the Chiefs who excited the Opatas to insurrection, has quieted these disturbances. It is due to The United States' Authorities, to acknowledge their kind offices of mediation in the range of their Territory bordering on that of New Mexico, in averting the evils and calamities of a desolating warfare. The most effectual Measures have been adopted by the Government, as far as circumstances have permitted, to prevent the occurrence of these hostile dispositions in future.

LUCAS ALAMAN.

*MANIFESTO of the Emperor Nicholas, on his Accession to the Throne of Russia.*

(Traduction.)

St. Petersburg, le 4 Decembre, 1825.

PAR la Grace de Dieu, NOUS, NICOLAS I. Empereur et Autocrate de Toutes Les Russies, &c. &c. &c.

Savoir faisons à tous Nos Fidèles Sujets :

Dans l'affliction de Notre cœur, au milieu de la douleur générale qui Nous accable, Nous, Notre Maison Impériale et Notre chère Patrie, en Nous humiliant devant les impénétrables Décrets du Très-Haut, c'est en Lui seul que Nous cherchons Nos forces et Nos consolations. Il vient d'appeler à Lui l'Empereur ALEXANDRE I. de glorieuse mémoire, et Nous avons tous perdu un Père et un Souverain, qui, pendant vingt-cinq Ans, a fait le bonheur de La Russie et le Nôtre.

Lorsque le 27 du mois de Novembre, Nous parvînt la nouvelle de cet événement déplorable, Nous Nous sommes empressé, dans ce moment même de douleurs et de larmes, d'accomplir un devoir sacré, et, ne suivant que l'impulsion de Notre cœur, Nous avons prêté serment de fidélité à Notre frère aîné, le Césarévitch, Grand-Duc CONSTANTIN, comme à l'Héritier légitime du Trône de Russie par droit de primogéniture.

Nous venions de Nous acquitter de cette sainte obligation, quand Nous apprîmes du Conseil de l'Empire : que le 15 Octobre 1823, il avoit été déposé entre ses mains un Paquet scellé du Sceau de feu l'Empereur, et sur lequel il étoit écrit de la propre main de Sa Majesté Impériale : " Garder au Conseil de l'Empire jusqu'à ce que j'en or-

donne autrement ; mais, dans le cas où je viendrois à mourir, ouvrir ce Paquet en Séance extraordinaire avant de procéder à tout autre acte ;" que cet Ordre Souverain avait été exécuté par le Conseil, et que les Pièces suivantes avaient été trouvées dans ledit Paquet : 1<sup>re</sup> Une Lettre du Césarévitch Grand-Duc CONSTANTIN, en date du 14 Janvier, 1822, adressée à feu l'Empereur, et par laquelle Son Altesse Impériale renonce à la succession au Trône, qui lui appartenait par droit de primogéniture. 2<sup>o</sup> Un Manifeste du 16 Août 1823, signé de la propre main de Sa Majesté Impériale, par lequel, après avoir exprimé son assentiment à la renonciation du Césarévitch et Grand-Duc CONSTANTIN, Elle statue, qu'étant le premier en âge après Lui, Nous sommes, suivant la Loi Fondamentale, le plus proche Héritier de la Couronne. Nous fûmes informé, en outre, que des Actes semblables se trouvoient déposés au Sénat-Dirigeant, au Saint-Synode, et dans la Cathédrale de l'Assomption à Moscou.

Ces notions ne pouvoient changer en rien la détermination que Nous avions prise. Nous vîmes dans ces Actes une renonciation faite par Son Altesse Impériale pendant la vie de l'Empereur, et confirmée par l'assentiment de Sa Majesté Impériale ; mais Nous n'eûmes ni le désir ni le droit de considérer comme irrévocable cette renonciation qui n'avait point été publiée lorsqu'elle eût lieu, et qui n'avait point été convertie en Loi. Nous voulions ainsi manifester Notre respect pour la première Loi Fondamentale de Notre Patrie, sur l'ordre invariable de la succession au Trône, et fidèle au serment que Nous avions prêté, Nous insistâmes pour que l'Empire entier suivit Notre exemple. Dans cette grave circonstance, Notre dessein n'étoit pas de contester la validité des résolutions exprimées par Son Altesse Impériale. Il étoit bien moins encore, de Nous mettre en opposition avec les volontés de feu l'Empereur, Notre Père et bienfaiteur commun, volontés qui Nous seront toujours sacrées ; Nous cherchions uniquement à garantir de la moindre atteinte la Loi qui règle l'ordre de succession au Trône, à placer dans tout son jour la loyauté de nos intentions, et à préserver notre chère Patrie même d'un moment d'incertitude sur la personne de son légitime Souverain. Cette détermination, prise dans la pureté de Notre conscience, devant le Dieu qui lit au fond des cœurs, fut bénie par Sa Majesté l'Impératrice MARIE, Notre Mère bien-aimée.

Cependant, la douloureuse nouvelle du décès de Sa Majesté l'Empereur étoit parvenue directement de Taganrog à Varsovie le 25 Novembre, deux jours plutôt qu'ici. Inébranlable dans Sa résolution, le Césarévitch et Grand-Duc CONSTANTIN la confirma dès le lendemain par deux Actes datés du 26 Novembre, qu'il chargea Notre frère bien-aimé, le Grand-Duc MICHEL, de Nous remettre. Ces Actes consistoient : 1<sup>o</sup> en une Lettre adressée à Sa Majesté l'Impératrice, Notre Mère chérie, Lettre dans laquelle, renouvelant Sa décision antérieure, et l'appuyant d'un Rescrit de feu l'Empereur, en date du 2 Février 1822,



qui servoit de réponse à son Acte de renonciation, et dont copie étoit annexée, Son Altesse Impériale renonce définitivement et solennellement à tous Ses droits au Trône, et d'après l'ordre établi par la Loi Fondamentale, les reconnoît en Nous, ainsi qu'en Notre postérité.

2<sup>o</sup> En une Lettre à Nous adressée, dans laquelle Son Altesse Impériale reïtère l'expression primitive de Sa détermination, Nous donne le titre de Majesté Impériale, ne Se réserve que celui de Césarévitch, qu'Elle portoit antérieurement, et Se nomme le plus fidèle de Nos Sujets.

Quelques décisifs que fussent ces Actes, et quoiqu'ils prouvassent, jusqu'à l'évidence que la résolution de Son Altesse Impériale étoit constante et irrévocable, Nos sentimens et l'état même de l'affaire, Nous ont porté à différer la publication desdits Actes jusqu'à ce que Son Altesse Impériale eût manifesté Ses volontés relativement au serment que Nous lui avons prêté, ainsi que tout l'Empire.

Actuellement, venant de recevoir aussi cette manifestation définitive des volontés de Son Altesse Impériale, Nous en faisons part à tout Nos Sujets, ajoutant ci-après : 1<sup>o</sup> La Lettre de Son Altesse Impériale le Césarévitch, Grand-Duc CONSTANTIN, à feu l'Empereur ALEXANDRE I. ; 2<sup>o</sup> La réponse de Sa Majesté Impériale ; 3<sup>o</sup> Le Manifeste de feu l'Empereur, qui confirme la renonciation de Son Altesse Impériale, et qui Nous reconnoît pour son Héritier ; 4<sup>o</sup> La Lettre de Son Altesse Impériale à Sa Majesté l'Impératrice, Notre Mère bien-aimée ; 5<sup>o</sup> La Lettre que Son Altesse Impériale Nous a adressée.

En conséquence de tous ces Actes, et d'après la Loi Fondamentale de l'Empire sur l'ordre de succession, le cœur plein de respect pour les décrets impénétrables de la Providence qui nous conduit, Nous montons sur le Trône de Nos Ancêtres, sur le Trône de l'Empire de toutes les Russies, et sur ceux du Royaume de Pologne, et du Grand-Duché de Finlande, qui en sont inséparables, et ordonnons :

1<sup>o</sup> Que le serment de fidélité soit prêté à Nous et à Notre Héritier, Son Altesse Impériale le Grand-Duc ALEXANDRE, Notre Fils bien-aimé ;

2<sup>o</sup> Que l'époque de notre avènement au Trône soit datée du 19 Novembre, 1825.

Enfin, Nous invitons tous Nos fidèles Sujets à élever avec Nous leurs ferventes prières vers le Tout-Puissant, pour qu'il Nous accorde la force de supporter le fardeau que Sa Sainte Providence Nous a imposé, qu'il Nous soutienne dans Nos fermes intentions de ne vivre que pour Notre chère Patrie, et de marcher sur les traces du Monarque que Nous pleurons. Puisse Notre règne n'être qu'une continuation du sien, et puissions Nous accomplir tous les vœux que formoit pour le bonheur de La Russie, Celui dont la mémoire sacrée nourrira en Nous le désir et l'espoir de mériter les bénédictions du Ciel et l'amour de Nos Peuples.

Donné dans Notre Résidence Impériale de Saint-Petersbourg, le 12 Décembre, l'an de grâce 1825, et de Notre Règne le Premier.

NICOLAS.

PREMIERE ANNEXE.

*LETTRE de Son Altesse Impériale, le Césarévitch Grand-Duc  
CONSTANTIN, à l'Empereur ALEXANDRE I<sup>er</sup>.*

SIRE, *St. Petersbourg, le 14 Janvier, 1822.*

Encouragé par toutes les preuves des dispositions infiniment bienveillantes de Votre Majesté Impériale à mon égard, j'ose y recourir encore une fois et déposer à Vos pieds, Sire, une très-humble prière.

Ne reconnoissant en moi, ni le génie, ni les talents, ni la force nécessaires pour être jamais élevé à la Dignité Souveraine à laquelle je pourrais avoir droit par ma naissance, je supplie Votre Majesté Impériale de transférer ce droit à celui à qui il appartient après moi, et d'assurer ainsi pour toujours la stabilité de l'Empire. Quant à moi, j'ajouterai par cette renonciation une nouvelle garantie et une nouvelle force à l'engagement que j'ai spontanément et solennellement contracté, à l'occasion de mon divorce avec ma première Epouse. Toutes les circonstances de ma situation actuelle me portent de plus en plus à cette mesure, qui prouvera à l'Empire et au Monde entier la sincérité de mes sentiments.

Daignez, Sire, agréer avec bonté ma prière ; daignez contribuer à ce que notre Auguste Mère veuille y adhérer, et sanctionnez-la de Votre assentiment Impérial. Dans la sphère de la vie privée, je m'efforcerai toujours de servir d'exemple à Vos fidèles Sujets, à tous ceux qu'anime l'amour de notre chère Patrie.

Je suis avec un profond respect, &c.

CONSTANTIN, Césarévitch.

SECONDE ANNEXE.

*REPONSE de Sa Majesté l'Empereur ALEXANDRE I<sup>er</sup>.*

*Très-cher Frère ! St. Petersbourg, le 2 Février, 1822.*

J'AI lu Votre Lettre avec toute l'attention qu'elle exigeoit. Ayant toujours su apprécier les sentimens élevés de Votre cœur, je n'ai trouvé dans cette Lettre rien qui pût me surprendre. Elle m'a donné une nouvelle preuve de Votre sincère attachement à l'Etat et de Votre sollicitude pour son inaltérable repos.

Conformément à Votre désir, j'ai présenté Votre Lettre à Notre Mère chérie. Elle l'a lue avec le même sentiment que Moi, en reconnoissant les nobles motifs qui Vous ont guidé.

Tous deux Nous n'avons plus maintenant, après avoir pris en considération les raisons que Vous alléguiez, qu'à Vous donner pleine liberté de suivre Votre inébranlable résolution et à prier le Tout-Puisant de bénir les conséquences d'intentions aussi pures.

Je suis à jamais Votre sincèrement affectionné Frère,

ALEXANDRE.

## TROISIEME ANNEXE.

**MANIFESTE de l'Empereur Alexandre.**

PAR la Grâce de Dieu, Nous, ALEXANDRE Premier, Empereur et Autocrate de Toutes les Russies, &c. &c. &c.

Savoir faisons à tous Nos fidèles Sujets :

Dès le moment de Notre avènement au Trône de Toutes les Russies, Nous avons constamment senti qu'il étoit de Notre devoir envers le Dieu Tout-Puissant, non-seulement de garantir et d'accroître dans le cours de Notre règne, la félicité de Notre chère Patrie et de nos Peuples, mais aussi de préparer et d'assurer leur repos et leur bonheur après Nous, par une désignation claire et précise de Notre successeur, conformément aux droits de Notre Maison Impériale et aux intérêts de l'Empire. Nous ne pouvions, à l'exemple de Nos Prédécesseurs, le nommer immédiatement, dans l'attente où Nous étions s'il ne plairait pas à la Providence Divine de Nous accorder un Héritier du Trône en ligne directe. Mais plus Nos années s'accroissent, plus Nous croyons devoir Nous hâter de placer Notre Trône dans une position telle, qu'il ne puisse rester vacant même momentanément.

Tandis que Nous portions cette sollicitude dans Notre coeur, Notre bien-aimé Frère, le Césarévitch et Grand-Duc CONSTANTIN, ne suivant que Son impulsion spontanée, Nous adressa la demande de transférer Son droit à la Dignité Souveraine, à laquelle il pourroit un jour être élevé par Sa naissance, sur celui qui devoit posséder ce droit à Son défaut. Il manifesta en même temps Son intention de donner ainsi une nouvelle force à l'Acte Additionnel sur la succession au Trône, promulgué par Nous en 1820, Acte volontairement et solennellement reconnu de Sa part, en autant qu'il pouvoit le concerner.

Nous sommes profondément touché de ce sacrifice que Notre bien-aimé Frère s'est décidé à offrir, avec une telle abnégation personnelle, à l'affermissement des Statuts Héréditaires de Notre Maison Impériale et à la tranquillité inébranlable de l'Empire de toutes les Russies.

Ayant invoqué l'aide de Dieu, ayant mûrement réfléchi à un objet aussi cher à Notre coeur, qu'important pour l'Etat, et trouvant que les Statuts qui existent sur l'ordre de succession au Trône, ne privent pas ceux qui y ont des droits, de la faculté d'y renoncer, lorsque en pareille circonstance il ne se présente aucune difficulté dans la suite de la succession au Trône, Nous avons, d'après l'assentiment de Notre Auguste Mère, comme en vertu du droit suprême de Chef de la Famille Impériale qui Nous a été héréditairement dévolu, et usant de tout le pouvoir que Nous tenons de Dieu, ordonné ce qui suit : Premièrement, l'Acte spontané, par lequel Notre Frère puiné, le Césarévitch et Grand-Duc CONSTANTIN, renonce à Ses droits sur le Trône de Toutes les Russies, est et demeure fixe et invariable. Ledit Acte de Renonciation sera, pour que la notoriété en soit assurée, conservé à la Grande Cathédrale de l'Assomption à Moscou, et dans les

Trois Hautes Administrations de Notre Empire, au Saint-Synode, au Conseil de l'Empire et au Sénat-dirigeant. Secondement, en conséquence de ces dispositions, et conformément à la stricte teneur de l'Acte sur la succession au Trône, est reconnu pour Notre Héritier, Notre second Frère, le Grand-Duc NICOLAS.

C'est ainsi que Nous conservons la douce espérance qu'au jour où il plaira au Roi des Rois de Nous rappeler, suivant la loi commune des mortels, de Notre règne temporaire dans l'éternité, les Hautes Administrations de l'Empire, auxquelles Notre présente et irrévocable volonté, ainsi que Nos présentes dispositions légales, ne manqueront pas d'être communiquées en temps opportun et selon Nos ordres, s'empres seront de prêter leur serment de fidélité à l'Empereur héréditaire que Nous venons de désigner pour le Trône de l'Empire de Toutes les Russies, et ceux du Royaume de Pologne et du Grand-Duché de Finlande, qui en sont inséparables. Quant à Nous, Nous prions tous Nos fidèles Sujets, qu'avec ce même sentiment d'amour qui Nous faisoit considérer comme Notre premier bien sur la terre, le soin que Nous avions de leur constante prospérité, ils adressent de ferventes prières à Notre Seigneur Jésus-Christ, afin qu'il daigne, dans Sa miséricorde infinie, recevoir Notre âme en Son Royaume éternel.

Donné à Tzarskoe-Selo, 16 Août, l'An de Grâce, 1823, et de Notre règne le vingt-troisième.

ALEXANDRE.

#### QUATRIÈME ANNEXE.

*Lettre de Son Altesse Impériale le Césarévitch, Grand-Duc CONSTANTIN,  
à Sa Majesté l'IMPERATRICE-MÈRE.*

Très-Gracieuse Souveraine et très-chère Mère,

C'est avec la plus profonde affliction de cœur que j'ai reçu hier à sept heures du soir de la part du Baron de Diebitsch, Chef de l'Etat-Major de Sa Majesté Impériale, et de l'Aide-de-Camp Général Prince Volkonsky, l'information et l'Acte ci-joints en originaux, du décès de Notre Souverain adoré, de Mon bienfaiteur, l'Empereur ALEXANDRE. Partageant avec Votre Majesté Impériale la douleur qui Nous accable, je prie le Très-Haut que dans Sa Toute-Puissante miséricorde, Il daigne soutenir Nos forces et Nous prête celle de supporter l'arrêt dont Il Nous a frappés.

La position dans laquelle Me place ce malheur, M'impose le devoir d'épancher dans le sein de Votre Majesté Impériale, avec une entière franchise, Mes véritables sentimens sur ce point essentiel.

Votre Majesté Impériale n'ignore pas que, ne suivant que Ma propre impulsion, j'avois sollicité de l'Empereur ALEXANDRE, de glorieuse mémoire, l'autorisation de renoncer au droit de succession au Trône, et que Je reçus, en conséquence, un Rescrit Impérial autographe daté du 2 Février 1822, et dont Je joins ici une Copie vidimée, par lequel



l'Empereur témoignoit Son assentiment suprême à cette demande, ajoutant que Votre Majesté Impériale y avoit également adhéré, ce qu'Elle a daigné Elle-même Me confirmer de vive voix. Les ordres de feu l'Empereur furent en outre que le Rescrit suprême ci-dessus mentionné restât déposé entre Mes mains, Sous le sceau du secret, jusqu'au décès de Sa Majesté.

Habitué dès Mon enfance à accomplir religieusement la volonté tant de feu Mon Père, que du défunt Empereur, ainsi que celle de Votre Majesté Impériale, et Me renfermant maintenant encore dans les bornes de ce principe, je considère comme une obligation de céder Mon droit à la Succession, conformément aux dispositions de l'Acte de l'Empire sur l'ordre de succession dans la Famille Impériale, à Son Altesse Impériale le Grand-Duc NICOLAS et à ses Héritiers.

C'est avec la même franchise que je me fais un devoir de déclarer : que, ne portant pas plus loin mes désirs, je m'estimerai très-heureux, si après plus de trente Années de services consacrés aux Empereurs, mon Père et mon Frère, de glorieuse mémoire, il m'est seulement permis de les continuer à Sa Majesté l'Empereur NICOLAS, avec cette même et profonde vénération, cette même ardeur de zèle et ce dévouement sans bornes, qui m'ont animé dans toutes les occasions et qui m'animeront jusqu'à la fin de mes jours.

Après avoir ainsi exprimé mes sentimens aussi vrais qu'inébranlables, je me mets aux pieds de Votre Majesté Impériale, en La priant très-humblement d'honorer d'un bien-veillant accueil la présente Lettre, et de m'accorder la grâce d'en faire notifier le contenu à qui il appartient, pour être mis à exécution, ce qui réalisera dans toute sa force et toute son étendue la volonté de Sa Majesté l'Empereur, mon défunt Souverain et bienfaiteur, ainsi que l'assentiment de Votre Majesté Impériale. Je prends la liberté de Lui soumettre ci-joint la Copie de la Lettre que j'adresse simultanément avec la présente à Sa Majesté l'Empereur NICOLAS.

Je suis avec la plus profonde vénération, &c.

*Varsovie le 26 Novembre 1825.*

CONSTANTIN.

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CINQUIEME ANNEXE.

*Lettre de Son Altesse Impériale Monseigneur le Césarévitch, Grand-Duc CONSTANTIN, à Sa Majesté l'Empereur NICOLAS.*

Très-cher Frère,

*Varsovie, le 26 Novembre, 1825.*

C'est avec une inexprimable affliction de cœur que j'ai reçu hier à sept heures du soir la douloureuse nouvelle du décès de notre adoré Souverain, de mon bienfaiteur, l'Empereur ALEXANDRE.

En me hâtant de Vous témoigner les sentimens dont me pénètre le cruel malheur qui nous a frappés, je me fais un devoir de Vous informer qu'avec la présente j'ai adressé à Sa Majesté l'Impératrice, notre Mère bien-aimée, une Lettre qui Lui annonce, qu'en vertu d'un

Rescrit autographe que j'ai reçu de feu l'Empereur, le 2 Février 1822, en réponse à la Lettre que je Lui ai écrite pour renoncer à la succession au Trône Impérial, Lettre qui avoit été présentée à Notre Mère et honorée de Sa part d'un assentiment qu'Elle a daigné me confirmer Elle-même, ma résolution irrévocable de Vous céder mes droits à la succession au Trône Impérial de Toutes les Russies. Je prie en même temps notre Mère bien-aimée de faire connoître à qui il appartient, mon inébranlable volonté à cet égard, afin qu'elle soit duement mise à exécution.

Après cette déclaration, je regarde comme un devoir sacré de prier très-humblement Votre Majesté Impériale, qu'Elle daigne accepter de moi, tout le premier, mon serment de sujétion et de fidélité, et me permettre de Lui exposer que n'élèvant mes vœux vers aucune nouvelle dignité, ni aucun titre nouveau, je désire conserver seulement celui de Césarévitch, dont j'ai été honoré pour mes services par feu notre Père.

Mon unique bonheur sera toujours que Votre Majesté Impériale daigne agréer les sentimens de ma plus profonde vénération et de mon dévouement sans bornes, sentimens dont j'offre comme gage plus de trente Années d'un service fidèle et du zèle le plus pur qui m'a animé envers Leurs Majestés les Empereurs, mon Père et mon Frère, de glorieuse mémoire. C'est avec ces mêmes sentimens que je ne cesserai, jusqu'à la fin de mes jours, de servir Votre Majesté Impériale et ses descendans dans mes fonctions et ma place actuelles.

Je suis avec la plus profonde vénération, &c.

CONSTANTIN.

*DECLARATIONS of The Dey of Algiers, on the renewal of Peace with Great Britain.—Algiers, 26th July, 1824.*

BY HIS MOST SERENE HIGHNESS THE DEY OF ALGIERS.

Whereas His Majesty The King of the United Kingdom of Great Britain and Ireland has represented to Us, His expectation that We would give a more extended interpretation to the Enactments of the 17th Article of the Treaty concluded between Great Britain and Algiers on the 5th of April 1686, which provides for the entire safety and freedom of the person and estate of His said Majesty's Agent and Consul-General residing in this our City and Kingdom of Algiers: We are readily disposed to comply with the wishes of His Britannick Majesty, in proof of our sincere desire to confirm and establish more lastingly the relations of peace and harmony which so happily subsist between Great Britain and this Kingdom; and We do, therefore, heartily promise and declare, and it is hereby agreed and declared; 1stly. That for the future, and for ever, the British Agent and Consul-General, residing in the City and Kingdom of Algiers, shall

be treated at all times with the respect and civility due to his Character.

II. That his Person and House or Houses should be inviolable, and if any Person injure or insult him, by word or deed, such Person shall be severely punished.

III. That he shall have liberty to choose his own Interpreters and Servants, either Musselmen or others, who are not to pay any Tax or Contribution whatever.

IV. That he shall have liberty at all times of hoisting His Majesty's Flag at the top of his House, either in Town or Country, and in his Boat when he passes on the water.

V. That he shall not pay Duty for Furniture, Clothes, Baggage, or any other Necessaries which he imports into the City or Territories of Algiers for the use of himself or of his Family, and that if the nature of His Britannick Majesty's Service, or any other motive, require his absence from this Kingdom, neither himself, his Servants, Baggage, nor Effects, shall be stopped or detained, upon any pretence whatsoever, but that he shall have free leave to go and to return as often as he may think it necessary; and finally, that all honours or privileges that are now or may hereafter be granted to the Agent, Consul, or Vice-Consul, of any other Power, shall likewise be granted to His Britannick Majesty's Agent and Consul-General, and to His Vice-Consul.

Confirmed and sealed in the Warlike City and Kingdom of Algiers, in the presence of Almighty God, the 26th day of July, in the Year of Jesus Christ 1824, and in the Year of the Hegira 1239, and the 29th Day of the Moon, Del Cada.

[Signature of the Dey.]

[Seal of the Dey.]

Witness, R. C. SPENCER,

*Capt. of H. B. M.'s Ship the Naiad.*

H. Mc. DONELL,

*H. B. M.'s Agent and Consul-General.*

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BY HIS MOST SERENE HIGHNESS THE DEY OF ALGIERS.

WHEREAS a Declaration was made and concluded on the 28th day of August 1816, by Our Predecessor, His Most Serene Highness Omar Bashaw, with The Right Honourable Baron Exmouth, by which His Highness engaged, that, in the event of any future Wars with any European Power, not any of the Prisoners should be consigned to Slavery, but treated with all humanity as Prisoners of War, until regularly exchanged, according to European practice; and by which Declaration the practice of condemning Christian Prisoners of War to Slavery was formally and for ever renounced; We do hereby dis-





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