21 de Junho 1826

The Undersigned, His Britannick Majesty's Chargé d'Affaires and Consul General, yielding to the Advice contained in the Office of His Excellency M. le Vicomte de Inhambupe, Councillor, Minister, and Secretary of State for Foreign Affairs, dated the 3rd Instant, has made an Application in the Name of his Government to the Desembargador Auditor General of Marine, claiming the delivery of certain Articles, the property of His Britannick Majesty, furnished by the Commander of His Majesty's Ship "Redwing" to the "Pilar", and remaining on board this Vessel when she arrived in this Harbour.

That Application, with the Dispatch of the Auditor General, both in original, the Undersigned has the honour to inclose for the perusal of His Excellency The Visconde de Inhambupe, with a request that it may be returned

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by His Excellency for transmittal to the British Government.

Upon reference to the Decree of the 21st February 1824, upon the 9th Article of which Mr. Auditor General founds his Dispatch, the style of which is immaterial, it appears that this Decree relates wholly and solely to "prizes captured from the Enemy in War", (the particular Enemy at that time being Portugal) and the Undersigned is backward to believe, even upon the respectable Authority, of Mr. Auditor General of the Marine that the Pilar is a prize captured from the Enemy, — or that His Britannick Majesty's Property is liable to Condemnation. For unless Mr. Auditor General holds these opinions, it is not conceivable how he can refer to that Decree as the ground for rejecting the Application of the Undersigned, on behalf of his Government, to deliver up Articles claimed as the

property

property of His Britannick Majesty.

The Undersigned has now done all that it is proper for him to do in this case, and perhaps more.

He has applied to His Excellency the Minister for Foreign Affairs for the restitution of some publick Property belonging to Great Britain, seized by a Brazilian Ship of War upon the High Seas. — The Minister has referred him to the Auditor General of Marine by whom restitution is — refused: under the plea that his — proceeding is not according to a Decree affecting Prizes made from the Enemy. As if the British — Government were expected to become Suitors in the Brazilian Admiralty Court for the unjustly seized property of their Sovereign, and to follow the course laid down for private Individuals in the recovery of their Goods.

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Were it not for the consideration that the course he has chosen bears the evident character of a willingness to use every amicable means of obtaining his end, The Undersigned would sincerely regret that he had exposed himself, and his Government, to the rebuff of the Auditor General of Marine.

As it is, he leaves the matter entirely in the hands of M. le Vicomte de Inhambupe; with the expression of his sincere hope, that, in addition to all the imitating circumstances he already has to report to his Government respecting the conduct of Brazilian Officers and the Government towards the Pilar and her Prize Crew, he shall not have to state the refusal to give up the captured Property of His Britannick Majesty.

The Undersigned has again to renew to his Excellency M. le Vicomte de Inhambupe the Assurances of his profound Consideration and Respect.

Rio de Janeiro 21st July 1826. —

H Chamberlain