The Undersigned Chargé d'Affaires of the United States of America has the honor of communicating to the M. Ex. Snr. Francisco Carneiro de Campos, of the Council of H. M. the Emperor, Minister and Secretary of State for Foreign Affairs, that Captain Massicot, master and owner of the Brig Aspasia, has applied to the Government of the United States for its in= =terposition, to secure a claim against that of Brazil, for damages on account of the de= =tention of that vessel, occasioned by the ar= =bitrary and illegal conduct of a Custom= House Officer. The case has appeared so plain to the President, that he could not refuse his instruction to the Undersigned to apply, accordingly, for the desired relief.

By a reference to the correspondence of the Consul of the U. States with the Sr. Salmon de Rio d'Almeida, in the month of September of the past year, H. Ex. the Minis= =ter of Foreign Affairs will perceive, that the Aspasia left the U. States, with a cargo for Cadiz; but finding the Spanish market unfavorable, came to Rio de Janeiro, without having broken bulk; and furnished with such

such certificates of character and Cargo as the nature of the case allowed. There being no Brazilian Consuls in Spain. The Brig was permitted to enter here, and discharge her Cargo; without objection against the regula= =rity or sufficiency of her papers. The duties unpaid; when the Judge of the Customs, ca= =priciously or maliciously, but without law or reason, prohibited her from receiving the proceeds of her inward Cargo; and or= =dered her to sea, in ballast. The owner asks compensation for injury by detention of his brig, from that time till the injunc= =tion was taken off by superior authority). His account for demurrage and expenses, amounting to One thousand and thirty dollars, and $\frac{89}{100}$, has been transmitted to this Legation, by the Secretary of State. The justice of the claim is so apparent to the Undersigned, that he is confident it cannot fail to be acknowledged by the Imperial Government, and respectfully requests His Ex. the Minister to favor him with an early answer to this application.

By the 9th Paragraph of the Alvara of the 30th of May 1820, officially communi=

=cated by the Sr. Marquis of Aracaty to Mr.
Tudor on the 10th of November 1829, and pub=
=lished by authority in the United States, for
the information of the merchants, it appears,
that the certificate to the manifest is, (accord=
=ing to that ordinance,) the only certificate
of a Brazilian Consul required, on the arri=
=val of a vessel in Brazil, in order to be
admitted to Entry. A supposition that any
other or different ordinance had been, or has
been since decreed, without communication,
would be too injurious to the Imperial
Government for the Undersigned to enter=
=tain it for a moment; and he does not discover
by what authority H. Majesty's, or his Consuls,
especially, can undertake to prescribe that ad=
=ditional certificates shall be furnished by the
latter, as a sine qua non to certifying any par=
=ticular document. It becomes the duty of the
Undersigned to complain, particularly, of the
conduct of the Brazilian Consul in Balti=
=more, who, (according to information,) refuses
his certificate to the manifest, unless he
certify, at the same time, to the Clearance,
(passport,) the rôle d'equipage, and the bill
of health. The last is prohibited to the Health=
=Officer here, but the three last are never re=

required to be presented at the Custom House.
It is believed that no part of the Consul's au-
-thority entitles him to dictate the number
of certificates he is to give; and that it is
his duty to certify the manifest alone, or
any other proper paper, if required; and it
is presumed that the merchant who sends
a vessel to a port of this Empire, is under
no obligation to consult the discretion or the
interest of the Consul in such affairs; but
may, at his own risk, judge of the necessary
certificates; and may dispense if he please,
with the Consuls abundant cautions and
dictation. It will be very pleasing to the
undersigned, if H. I. Majesty's Consuls should
be instructed in this branch of their duty.
The practice complained of can only ope-
-rate on the merchants of the U. States as
a vexation and expense, tending to pro-
-duce feelings, towards this government
and nation, less amicable than those
which the President is anxious to cherish;
and can be of no possible benefit to the
commerce or revenue of the Empire.

The Undersigned could well
imagine that the Sr. Minister of Foreign

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Affairs must have been occupied with much
business, near the end of the session of
the Legislature; and was unwilling to press
H. Ex. for an answer to the note which the
Undersigned had the honor of addressing
to him on the 16th. of last August, relative
to certain claims for captures, by the naval
force of H. M. Majesty. As several weeks
are now elapsed, since the Chambers were
closed, he hopes that H. Ex. will not con-
=sider him unnecessarily importunate, in
requesting that answer, as soon as the
convenience of H. Ex. can permit.

It is painful to the Under-
=signed, that the subordinate officers and
agents of H. Majesty the Emperor should
have compelled him to address the Sec.
Minister in the language of complaints.
Trusting in that redress for the past, which
he thinks his Government has a right
to expect, without tedious procrasti-
=nation; and indulging the hope
that no recurrence of similar causes of
remonstrance would be permitted to
disturb the mutual harmony and kind
feelings subsisting between our two

nations, he requests Y. Ex. the Sr. Francisco
Carneiro de Campos to receive the reiterat.
=ed protestation of his great Esteem, and
high consideration

Legation of the United States.—
Rio de Janeiro, December 15th 1831.

Chas. A. Brown

To His Excellency,
Francisco Carneiro de Campos,
Minister of Foreign affairs, &c.
&c. &c. &c.