Consulate of the United States of America.
Rio de Janeiro. July 19. 1823.

The Undersigned, Consul of the United States of America, has the honour to present his respectful compliments to His Excellency Joze Joaquim Carneiro de Campos Minister and Secretary of State for the Home and Foreign affairs of Brasil, and to acknowledge the receipt under date of this day, of the annunciation of His Excellency's appointment. The Undersigned having addressed under date of 18th Inst. to "The Minister and Secretary of State for Home and Foreign affairs" before he was apprized of the name of the Illustrious Successor to His Excellency Joze Bonifacio de Andrada e Silva, a communication relative to the illegal imprisonment of an American citizen, and the unlawful seizure of some American property, has been pleased to learn that the same was placed on the day of its date, into the hands of His Excellency Joze Joaquim Carneiro de Campos, who was so polite as to accept of it although unaccompanied with the formality of His name.

The Undersigned now avails himself of the present occasion to thank His Excellency for this manifestation of his kindness, and to add some

further particulars elucidatory of the conduct of the persons of whom he has complained, which if any doubt before existed of the illegality of the proceedings, will, he apprehends establish their conviction. Fully aware that they had made a lawless seizure of property not liable to forfeiture, and that they had been instrumental in depriving of his liberty a respectable gentleman, whom they all knew to be innocent — and perhaps, having discovered that this gentleman had found in the Consul of his nation, one, who had the disposition to expose their tyranny, and to demand the redress due to the insulted honour of a People who value Liberty more than Life — they, some days since betrayed their self-conviction of quietly mutual recriminations, some of them confessing that they were aware of the illegality of the proceedings from the commencement, and others endeavouring to shew, that the Judge of the Custom House, was the author of the whole outrage. But an occurrence took place this day, which consummates their condemnation. They presented a petition to the said Judge drawn up in the name of Captain Austin without his authority or consent, direct or implied, and even without his knowledge, wherein the fictitious petitioner is made to beg for his release in the language of supplication, appropriate only to convicts confessing

their guilt. This transaction which borders upon the crime of forgery, is adding insult to injury, and although the Guarda-Mor has already attempted to shield himself from blame by declaring that the Judge had refused to despatch a petition drawn up in the name of the Prosecutors, which was offered to him, yet this does not justify the parties in their violation of truth and honour. By whose hand the petition was penned, it is not for the Undersigned to say, but when he observed in its form, that the fancied petitioner was made to declare, that he had been imprisoned because he could not find security, when the fact is notorious, and can be proved that this was not true, and that Captain Austin submitted to incarceration, solely because the Judge demanded exorbitant, oppressive and unlawful bail, suspicions by no means honourable to certain individuals, may with great reason be indulged. The liberation of Captain Austin, and the surrender of his property, never will be asked by himself or his country, as a favour, and as all the degression of which the case was susceptible, has been committed by the act of depriving him of his Liberty, and not by the duration of his confinement, the parties mistake the character of the nation with whom they have to deal,

if they imagine that their despotic proceedings can be atoned for, by the mere personal release of a man, whom they have attempted so deeply to injure and degrade.

His Majesty The Emperour, having in his proclamation of 18 "Jun 8. with a franckness and candour, which do him Immortal Honour acknowledged a Truth well known to the World but not often uttered by the lips of a Soverei'gn, that "Monarchs seldom hear the truth," The Undersigned feels himself strengthened in his claim for redress, because in addition to the Justice of his cause he is assured, that his Majesty's ears will be open to this appeal, and because he flatters himself that the gentleman upon he has now the honour to address, will be equally disposed, with his predecessor in office, to cultivate between Brasil and The United States the friendly understanding, which has hitherto subsisted! The Undersigned embraces this first occasion to assure His Excellency, of his particular esteem, founded upon an acquaintance with his publick acts, and to express his intention of making that acquaintance personal, by a visit, as soon as circumstances will permit.

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Consul of the United States of America