Rio 12 de Abril 1847

Most Excellent Sir

I have the honour to acknowledge the receipt of Your Excellency's Note of the 23rd Inst, in reply to my Communication of the 18th in relation to William Jackson a deserter from the American Brig Sylph, who has entered the Service of this Government.

You have been pleased to remark that no treaty exists between the Governments of the United States and Brazil stipulating for the delivery of deserters, and that as this man voluntarily entered the Brazilian Service, you must decline the exercise of any authority on the occasion.

I am fully aware that no treaty of any character exists between our Governments, but I presume Your Excellency will not argue, that Nations without treaties are without rights; More or less intercourse necessarily precedes treaties, as it is by that intercourse alone that the mutual advantages of treaties are suggested, and previous to such negotiations, National disputes can be referred only to those immutable principles of Justice, which have been adopted as the Moral Laws of Nations, and consecrated by long established usage; it is to this code of right and obligation I appeal

and beg leave to call your Excellency's
attention again to the case of the
deserter, of Voluntary Contracts, not
contravening any Law, are binding
upon the Parties, then have Masters
of Vessels an unequivocal property
in the Services of their Crews, for the
term of the contract to which it requires
no Convention to define, or Treaty
to substantiate, and highly unjust
and reprehensible is the conduct
of those Officers who hold out induce-
ments for the violations of contracts,
and offer the delinquents refuge and
protection on board National Vessels
of War, As a proof to your Excellency
that I have been governed in my
request for the delivery of the Seaman
in question by a principle to which has
guided the Officers of my Government
in their conduct towards Brazil on
similar occasions; I beg leave mention that
but a short time since, a Brazilian
deserter, who had secreted himself on
board the United States Sloop of War
Cyane, was discovered by her Officers
until she had got to Sea, was on the
return of that Vessel to this port, im-
mediately sent by Captain Elliott, to
the Officer from whom he had deserted,
With this rule convenient that
your Excellency took observe on the
present occasion, that course of

conduct, to which appears to you correct towards a friendly Nation.

I beg leave to repeat assurances of my high Consideration

Rio de Janeiro
August 27th 1827

To His Excellency
The Marquis of Queluz
Counsellor Minister
& Secretary of State
for Foreign Affairs
&c &c &c

H. H. Gallatin
Consul
U. S. A.