Rio de Janeiro 2d Septr. 1826

Mons.r le Vicomte,

I take the liberty to lay before Your Excellency the circumstances attending the illegal arrest, and imprisonment, of Mr. James Johnstone, a British Merchant established at Maranham, which, I apprehend, show that the Privileges stipulated by Treaty in favour of British Subjects have been violated; and that the protecting power, granted by the Law of Brazil to enable a Publick Officer to cause his Official Authority to be respected, has been most improperly used, to gratify private feelings, in a private Quarrel with a British Subject.

The circumstances are briefly as follows.

Snr Joze Perreira de Faria Junior, who is stated to be Juiz Almotacil

To,
His Excellency
The Viscon de de Inhambupe
&c &c &c

I &c

of the City of Maranham, having some Mercantile Accounts to settle with Mr. James Johnstone, the British Subject in question, called upon him at his Counting House, for that purpose; and, a dispute arising between them, (in which the former is accused of having used very insulting language, and the latter of having therefore violently turned him out of the House,) Snr Joze Pereira de Faria Junior issued, (in his character of Juiz Almotacel,) an order of Arrest against Mr. Johnstone "for having insulted him". Which order being backed, verbally, by His Excellency The President of the Province, Snr Pedro Joze da Costa Barros, was carried into effect, (not by a Meirinho or civil Officer, the Order being first backed with the "cumpra-se" of the British Judge Conservator, - as ought to have been the case in conformity with the existing Treaty,) but, by an armed Force.

As

As the Imprisonment of Mr. Johnstone has not been severe, the object which I have principally in view is more to prevent future occurrences of this sort, than to insist upon rigid redress for what has already occurred. Leaving it to His Imperial Majesty's Government to mark their sentiments upon the occurrence in such terms as they may think the proceedings of His Excellency The President, of the Divi Almotacel, merit.

The accompanying Papers which I have the honour to send, in original, for Your Excellency's information, (amongst which will be found the Correspondence between His Excellency The President, and His Britannick Majesty's Consul,) will put Your Excellency in possession of the whole circumstances of the case. And I should hope, that, considering the great distance of that part of

the

the Empire from the Imperial Government, and the length of time that must unavoidably elapse whilst complaints and enquiries are on the road, that Your Excellency will be pleased to issue such orders as may secure to His Majesty's Subjects the full enjoyment of the privileges stipulated for them in the existing Treaty of Commerce. And as will prevent any publick Officer from employing against British Subjects, (when a disagreement may chance to occur between them and him,) the Authority granted to him for his protection in the performance of his publick Duties.

I request the favour of Your Excellency to return me the papers sent herewith when Your Excellency no longer requires them; and I add with much truth the Assurances of high Respect and Consideration with which I have the honour to be, M. le Vicomte, Your Excellency's, most obedient

Humble Servant

H Chamberlain