Slave Trade

The Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, has to acquaint the Chevalier de Mattos, Chargé d'Affaires of His Majesty the Emperor of Brazil, that the Note, which was addressed, on the 18th of May, 1830, to His Majesty's Secretary of State by the Chevalier de Mattos, respecting the alleged illegality of the detention and condemnation of the Brazilian Vessel "Esperanza" has been referred for the opinion of the proper Law Officer of the Crown.-

That

The Chevalier de Mattos,

&c &c &c

That Officer has reported, that the "Esperanza", having, according to her Passport, been destined to Cabinda for a cargo of Slaves, was, within a month of the date of that Passport, found in Lat: 6°. North, in sight of the Port of Lagos, and there captured. That a strict investigation having been entered into of the Causes adduced for the deviation of the Vessel so far to the Northward of her proper course, the falsehood of the Story, set up by the Master to account for his Situation at the time of Capture, was clearly detected, and the Commissioners at Sierra Leone came

to

to the conclusion, that he was approaching the Coast of Africa to the Northward of the Line, for the purpose of engaging in the Traffic in Slaves in places, where that Trade was not permitted, in violation of the Treaties subsisting between this Country and Brazil, and they accordingly proceeded to condemn the Ship and Cargo.

On the trial of the Case, the Master swore, that he did not know what Cargo was necessary to trade in Slaves to the North of the Line, as he had only been engaged in voyages to the Southward. This averment was proved to be wholly false, as the

very

very year before he had been found trading in the Bight of Benin to the Northward in a Ship called the "Fajano", which had been detained and condemned.- And it is now stated by the Chevalier de Mattos, that it was the intention of the Master to enter the Port of Lagos, although he had sworn at Sierra Leone, that he intended to proceed to Prince's Island, for the purpose of repairing the alleged damage of the Mast, and was actually steering for that Place, when he was captured.- Additional Proofs have thus been afforded, if any were

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wanting, of the bad faith, with which the Transaction has altogether been conducted.-

Upon a review of the whole of the circumstances of this Case, there can be no doubt, that the object of the voyage was the illicit Traffic in Slaves to the Northward of the Line;- and the Undersigned has, accordingly, to state to the Chevalier de Mattos, that with reference to the principles, which have been acted upon in other Cases, and for the reasons stated in the Correspondence, which has already passed upon that subject, His

Majesty's

Majesty's Government, although they must remind the Chevalier de Mattos, that, according to Treaty, the Decisions of the Commission is final, with an exception which does not apply to this Case, are furthermore of opinion, that, according to the evidence stated, the sentence, condemning the Ship and Cargo, was correct and proper, and that the Owners are not entitled to compensation for the loss occasioned by the capture and condemnation of the Esperanza and of her Cargo.-

The Undersigned avails himself

of

of this opportunity to renew to the Chevalier de Mattos the assurances of his — — distinguished consideration.—

Palmerston

Foreign Office;

December 10th, 1830.—