N. 8

Illmo e Exmo Snr.

Referindo-me ao meu officio anterior em data de 18 do mez proximo passado, tenho a honra de remetter a V. Exca copias dos papeis, de que fallei no sobredito meu officio, e darei-lhe conta que recebi hontem junto as nove horas da noite. Sendo em verdade as actuaes circumstancias muito differentes das que existião quando parti desta Corte; hé fora de duvida que não podia ver provindo convenientemente, para poder regular por ellas a minha conducta. Tenho pois o dissabor de me ver aqui paralisado até que com a resposta de V. Exca eu possa sahir deste estado de inacção.

As mudanças em França parece tomarem consistencia. Este Governo tomou a resolução de reconhecer a nova ordem de coisas, e Lord Stuart apresentou a semana passada as suas Credenciaes de Embaixador de S. M. Britannica junto a S. M. o Rei dos Francezes

Fui

Foi terrivel o exemplo de Paris; V. Exa. verá
dos Jornaes o que vai pelos Paizes Baixos,
daki quanto ha a receiar que não lavre
incendio. Pelo que isso nos poderia a todos con-
cerne a V. Exa, que he grande o meu cui-
dado, ainda que confio muito da sabedoria
do Governo de S. M. J. nosso Augusto
Amo.

He quanto julguei do meu dever par-
ticipar a V. Exa.

Deos Guarde a V. Exa Londres
em 8 de Septembro de 1830.

Illmo e Exmo Snr Miguel Calmon Marquez de S. Amaro.

du Pin e Almeida

Copia

Le Soussigné, Ambassadeur extraordinaire et plénipotentiaire de S. M. l'Empereur du Brésil près S. M. B. en exécution des ordres reçus de S. M. l'Empereur Son Auguste Maître, a l'honneur de s'addresser a' S. E. Monsieur le Comte de Aberdeen, Principal Ministre et Secrétaire d'Etat au Département des Affaires Etrangères, dans le but, de lui faire, ainsi qu'au Gouvernement de S. M. B. la communication franche et sincére des sentimens de S. M. l'Empereur, Son Auguste Maître, a l'égard des affaires du Portugal, et cela en remplissant la parole sacrée de S. M. l'Empereur donnée en réponse a' la Note dirigé en date du 16 Fevrier dernier, au Gouvernement de S. M. F. par le Chargé d'Affaires de S. M. B. Avant d'entrer en matiére le Soussigné trouve nécessaire rappeller a' la considération de S. E. M^r le Comte d'Aberdeen, la conduite de S. M. l'Empereur, en succédant a' Son Père le feu Roi de Portugal, ainsique celle de tous les Souverains, et de tous les Gouvernemens de l'Europe a' cet égard. Reconnu Roi de Portugal par les Portugais, l'Empereur a moins consulté ses intérêts, que le Bien-etre de la Nation Portugaise, et résolu dans sa sagesse d'abdiquer la Couronne, en faveur de sa Fille Ainée. Tous ces Actes, ainsique sa Fille ont été reconnus par tous les Souverains, les premiers, comme valables et de droit, et la seule comme Reine de Portugal, sous le nom de Dona Maria II.

Ensuite

L'Empereur a pris en considération les intérêts de
sa Famille, et a donné en fiançailles la jeune Reine
à l'Infant D. Miguel, qui alors se trouvait à Vienne
sous les conseils vraiment paternels de S. M. I. & R. A.
Cet acte étant dument et solennellement célébré, et
tous les arrangemens pris, dont le témoignage est
consigné dans le Protocole de Vienne, L'Empereur
a accédé aux conseils des Souverains, Ses Illustres
Amis et Alliés, et L'Infant D. Miguel est parti
pour le Portugal investi de l'Autorité de Régent
de ce Royaume. Personne ignore les moyens igno-
bles dont le Régent s'est servi dès son arrivée à
Lisbonne pour assouvir l'ambition de parvenir au
Throne, en trahissant par sa conduite, le Souverain
Son Frère et ami, et en abusant la confiance des
Souverains, qui avaient ajouté foi à sa parole et
à ses sermens. Placé entre l'ingratitude d'un
Frère, et le devoir comme Souverain de contribuer avec
toutes ses forces à la conservation de la paix de
l'Europe, et au Bien-être de la Nation Portugaise
L'Empereur Désire que S. M. B. ainsi que Tous les
Souverains Se Daignent prendre en considération
la position difficile où Il se trouve, et puissent
juger dans Leur Sagesse la grandeur du sacrifice
qu'Il est disposé à faire en accédant à la con-
ciliation qui lui a été proposée. A cet effet
le Soussigné est autorisé à faire les déclarations
suivantes: 1°. Que S. M. L'Empereur est dans la

ferme résolution, de ne point compromettre la tranquil-
lité de Son Empire, en prenant les armes pour mettre
sur le Throne de Portugal, la Reine D. Maria II, Son
Auguste Fille. II°. Que voulant par tous les moyens
contribuer a ce que la tranquilité de l'Europe ne soit
point troublée, S. M. L'Empereur Est Disposé à
reprimer les sentimens d'un Souverain trahi, d'
un Père trompé et d'un Frère offensé, et de chercher,
d'accord avec les Souverains de l'Europe a mettre
un terme a l'état déplorable du Portugal par le
moyen d'une réconciliation, III°. Que S. M. L'Em-
pereur, ne comme Souverain du Brésil, ne comme
Tuteur de S. M. F. F., Peut consentir en quelque Acte
qui puisse porter la jeune Reine de Son Droit au
Throne du Portugal; car comme Souverain du Brésil,
Il n'ose point toucher le principe de Succession
legitime, que, en bien des cas commun des Princes et des
Peuples doit être maintenu, et principalement en
Europe. Dans la qualité de Tuteur, ne peut pas
renoncer a aucun droit de Son Auguste Pupille, et
cela en conformité des principes de la Legislation Uni-
verselle, par laquelle toute Cession de ses droits, serait
déclarée nulle et d'aucun effet. IV°. Que par ces
mêmes principes S. M. L'Empereur ne pourra con-
sentir a donner Sa Fille en mariage a celui, qui, a
l'usurpation de Son Throne a ajouté les torts public
de sa main, d'autant plus, que par la Religion, le
mariage sans le consentement mutuel est réprouvé

ainsi que par la morale, selon laquelle le Père peut suppléer la volonté de sa Fille, mais jamais la forcer. V.° Que dans telles circonstances, l'Empereur, voulant donner le témoignage le plus sincère de la considération qu'Il a donné aux instances des Souverains de l'Europe, Ses Augustes Alliés sur cette question, en montrant qu'Il est disposé à tout sacrifier, moins son honneur et sa conscience déclare enfin qu'aussitôt que le mariage de Sa fille avec son Oncle l'Infant D. Miguel sera jugé le moyen nécessaire, pour réaliser cette réconciliation, S.M. l'Empereur n'y opposera pas si cette union, quand Sa Fille en arrivant à l'âge de dix huit ans, veuille donner sa main à l'Infant D. Miguel. Cette déclaration de S.M.I. sera valable et aura tout son effet sous les conditions suivantes:

1.° Que dans cet arrangement pour la conciliation, la Souveraineté de la Reine sera entièrement gardée et maintenue. 2.° Que l'Infant D. Miguel enverra au Brésil un Ambassadeur, dans l'but de compléter la conciliation, et de saluer la Reine comme Souveraine Légitime. 3.° Qu'une Amnistie générale, et sans exception sera publiée et garantie par les Gouvernemens de la Grande Bretagne, de la France et de l'Autriche, en faveur de tous les Portugais arrêtés, exilés, et émigrés à cause d'opinions politiques, en leur restituant tous leurs biens, de quelque nature qu'ils soyent, s'ils existent en

confiscation, ou leur valeur respective s'ils sont aliénés, et en accordant a' tous et a' chacun la liberté de rentrer en Portugal, et en ses possessions, ou de rester dans les pays étrangers, ou ils pourront jouir des revenus de leurs biens, sans aucun obstacle, ou embarras quel. conque. Et enfin cette Amnestie comprendra la memoire de ces Portugais, qu'ont péri a' cause de leurs opinions politiques, afin que leurs familles et leurs descendants ne supportent point l'infamie légale. 4°. Que S. M. B. et les Souverains de la France et de l'Autriche prendront l'engagement de reparer et d'eviter par leurs conseils, ou par la force toute injure que la Reine puisse craindre ou souffrir de la part de son Mari L'Infant D. Miguel. Ces Conditions une fois approuvées S. M. F. pour donner une preuve de sa sincerité est disposé a' faire le sacrifice de se separer de sa Fille la Reine de Portugal, et de la confier aux soins et a' l'amour de son Grand-Père l'Empereur d'Autriche, et dans le cas de mort, ce qu'a Dieu ne plaise pas, a' S. M. L'Impératrice d'Autriche. Voilà, Mr le Comte, en résumé tout ce que le Soussigné est autorisé a' déclarer au Gouvernement de S. M. B. ainsi que a' ceux des Souverains qu'ont bien voulu intervenir dans cette affaire —

Londres ce 8 Août 1834 = S. E. M. le Comte de Aberdeen, Principal Ministre & Secrétaire d'Etat au Département des affaires Etrangères = Signé Le Marquis de St. Amaro

Est conforme
V. de St. Amaro

Copia

1° S. M. L'Empereur du Brésil propose une réconciliation honorable avec son Frère l'Infant D. Miguel

2° L'Empereur du Brésil s'engage à ne point s'opposer au mariage de Sa Fille, la jeune Reine de Portugal D. Maria II., quand Elle, arrivant à l'âge de dix-huit ans veuille déclarer, sa volonté d'épouser Son Oncle l'Infant D. Miguel, d'après le Contract de fiançailles dument et solennellement célébrés à la Cour de Vienne.

3° L'Infant D. Miguel, enverra au Brésil un Ambassadeur dans le but de compléter cet acte de conciliation et de saluer la Reine D. Maria II comme Souveraine Légitime des Royaumes du Portugal et des Algarves.

4° L'Infant D. Miguel fera reconnaître en Portugal selon les usages du Royaume la Jeune Reine comme Souveraine Légitime

5° L'Infant D. Miguel conservera le nom de Roi avec l'expression de = Roi Régent = jusqu'à ce que la Reine l'épousera.

6° L'Infant D. Miguel, en conformité du serment prêté en date du 26 Février 1828 à L.L. M.M. Pierre IV et D. Maria II. aura part à l'Administration des Affaires du Royaume.

7° Aussitôt que la Reine arrivera à Lisbonne, ayant épousé Son Oncle, Leurs Dites Majestés, les Souverains de la Grande Bretagne, de l'Autriche et de la France, prendront l'engagement de réparer et d'éviter par leurs conseils, ou par la force, toute injure que la Reine pourra craindre, ou soupçon de la part de

Son Mari L'Infant D. Miguel.

8.° Dans le cas, ou la Princesse aura declaré sa volonté, de ne pas épouser Son Oncle l'Infant D. Miguel, Elle épousera ou abdiquera en conformité des Lois fondamentales du Royaume du Portugal.

Par cette convention une Amnestie generale dans la moindre exception sera accordée et garantie par Leurs dites Majestés, L'Empereur du Brésil, le Roi de la Grande Bretagne, L'Empereur d'Autriche et le Roi de France, a tous les Portugais, soit a ceux qui ont suivi et defendu la Cause de la Reine par leurs moyens, et même avec les armes a la main, soit a ceux qui comme les premiers ont suivi en pareilles circonstances la Cause de L'Infant D. Miguel. Tous leurs biens, de quelque nature qu'ils soient, leur seront restitués, ou sa valeur dument vérifiée, quand on les aura aliené. Tous les Déportés et Emigrés par des opinions politiques pourront rentrer librement en Portugal, ou en ses possessions ultramarines, ou rester dans les pays étrangers, jouissant dans ce cas percevoir et jouir des revenu de ses biens, acquis par quelque titre qu'ils soient en Portugal et ses dites Possessions. Cette Amnestie comprendra aussi la memoire des Portugais qui ont peri a cause de leurs opinions politiques, afin que leurs familles et leurs descendants soient exempts et ne supportent pas l'infamie légale. Les Déposés

faites par le Trésor du Brésil a compte de
la Reine de Portugal, montant a la somme de
seront approuvées et payées par
le Trésor du Portugal.

Está conforme

Visconde de S.t Amaro

fisica

The Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, in answering the Note which he has had the honor of receiving from the Marquis de Santo Amaro, Ambassador Extraordinary from His Imperial Majesty the Emperor of Brazil, does not think it necessary again to detail the circumstances which have led to the present unfortunate condition of the Portuguese Monarchy. These circumstances, and the views entertained by the British Government have already been stated in the correspondence of the Undersigned with the Marquis Barbacena; Neither is it necessary that the Undersigned should controvert the accuracy of the description which the Marquis de Santo Amaro has given in his Note of the 16th ultimo, of the conduct of the Infant D. Miguel; or the just ground of offence afforded to the Emperor of Brazil.

We must observe however, that the nature of the question under discussion has been materially changed. The Emperor D. Pedro has declared his firm resolution never to endanger the tranquility of his own dominions, by undertaking hostilities against his Brother, and he has expressed his desire to terminate these unhappy differences by measures of conciliation. Whatever therefore may have been the character and conduct of the Infant D. Miguel, he is now to be reputed as the Sovereign de facto of Portugal; proclaimed and confirmed as such by an immense Majority of the people. His elevation, so far from having been in any manner the result of foreign

influence, was the act of the Portuguese Nation alone who have maintained him on the throne for more than two years, under circumstances of great difficulty and provocation, & notwithstanding the interruption of their diplomatick relations with every Court in Europe. The Marquis Santo Amaro in his note of the 16th. ultimo, has proposed certain conditions to His Majesty's Government, with the object of effecting the reconciliation so much desired; but as these are essentially comprised in the projet of a marriage to be contracted between the Infant D. Miguel, and the Queen Donna Maria, it will only be necessary for the undersigned to request the attention of His Excellency for a few moments, while he endeavours to explain the views entertained by the British Government upon this subject.

The marriage in question was originally proposed by the late King Don John VI. It was expressly stipulated more than once by D. Pedro himself, and was recommended by the Governments of Europe, in alliance with Brazil, and most interested in the tranquility of Portugal. — The object of this union was to avoid the evils of a disputed succession; it was to reconcile those conflicting claims, which were known to exist, and to blend those rights, which separately maintained and pursued, could only lead to the most fatal results. It may be admitted that the proposal was calculated to produce these effects; and the recent history of Portugal furnished an Example of such an alliance

in the immediate Progenitors of King John the VI.
although not contracted under circumstances of the
same political necessity. When the culpable conduct
of the Infant D. Miguel, after his return to Lisbon,
had induced the Emperor D. Pedro finally to reject
the notion of this marriage, it was impossible that
the resolution should excite the surprise of the British
Government. May acquiesced at once in the Instruc-
tions by which the Marquis de Barbacena was ordered
to declare that this was the only conduction of a recon-
ciliation with his brother, to which the Emperor could
never subscribe. The British Government allways felt
that in a transaction of this nature, the cordial con-
sent of each party was indispensable to the prospect
of future happiness and success. The present
propositions of the Marquis de Santo Amaro are
founded upon the renewal of the marriage engagement,
under certain conditions; but according to the appre-
hensions of the Undersigned, this engagement, if
practicable at all, would now take place under circums-
tances the most sinister and unpropitious.

According to the statement of Mon^r. de Santo Amaro,
the Emperor D. Pedro declares that he possesses no
power to sacrifice any portion of the rights of his Dau-
ghter, and that the assertion of her claims to the Crown
of Portugal, must be preserved in its full integrity.
This same inhability to controul the personal incli-
nations of the Princess is affirmed, and a marriage
effected under any constraint is held to be contrary

to the principles of Religion and Morality.
Nevertheless, if the Princess, after having attained
the age of eighteen should be disposed to marry the
Infant D. Miguel, the Emperor declares, that he
will oppose no obstacle to the Union. His Imperial
Majesty further provides, that if his Daughter at
the period referred to, should decline to espouse
the Infant, in that case she shall be bound to abdi-
cate the Throne. The Undersigned may be permitted
to ask, if the Emperor be unable to sacrifice the
political rights of his Daughter, or to control
her inclinations in what manner the proposed enga-
gement is to be carried into effect? It is not very
likely that the Queen, at the age of eighteen, should
be disposed voluntarily to enter into a matrimonial
Alliance with a Prince, of whom she will have been
taught to entertain the most unfavourable opi-
nion; and it is not easy to understand how her
political rights can justly be called in question
in consequence of her refusal to perform an act, res-
pecting which it is admitted, that her decision ou-
ght to be perfectly free. But even if all obstacles
should be removed, and the marriage should take
place, in the manner now proposed, it would be
difficult to anticipate any happy consequences.
The expectations and fears of the Emperor D. Pedro
himself are sufficiently explained, by the very ex-
traordinary proposition which the Marquis de Santo
Amaro has been instructed to make — That the King

of Great Britain and his Allies should engage to pre-
vent or to remedy by their councils, or by force those inju-
ries which the Queen may either apprehend, or experience
from her Husband. The Undersigned must frankly
declare, that to an Union contracted under such aus-
pices, the King his Master can never be a party.

The Undersigned will further add, that in the opinion
of His Majesty's Government, the time has passed in
which the project of a marriage could have been enter-
tained with any prospect of a fortunate result. If the
Emperor D. Pedro, influenced by the feelings of fraternal
affection, and acting conformably to the magnanimity
of his own character, had yielded to the decision unequi-
vocally pronounced by a great majority of the Portugue
nation, and had consented to treat with the Infant in
the spirit of conciliation and forgiveness, it is possible
that this marriage might have silenced the angry
pretentions of rival parties, and have become the
bond of peace. But it cannot now be denied that the
protracted and embittered hostility of the adherents of
the two Claimants to the Throne, must tend to create
and to perpetuate sentiments of mutual aversion in
the minds of those whom it is proposed to unite.

The Undersigned having thought it his duty shortly
to advert to this subject, not so much for the purpose
of examining the propositions of the Marquis de Santo
Amaro as of explaining the views which have been enter-
tained by the British Government, respecting the ma-
riage in question, now feels it incumbent upon him

frankly to state to the Marquis de Santo Amaro,
the reasons, by which he considers himself to be pre-
duded from entering more fully into the discussion
of the various topicks comprised in His Excellency's
Note. This necessity has arisen from circumstances
which have occurred subsequently to the departure
of the Marquis de Santo Amaro from Rio de Janeiro,
and which in the judgement of the Undersigned,
give an entirely new character to the negociation,
and are calculated altogether to arrest its further
progress. On the 23d of March the Brazilian Mi-
nister declared officially to His Majesty's Charge
d'Affaires, that it was the intention of the Emperor
D. Pedro to send a Plenipotentiary to Europe to treat
for the settlement of the affairs of Portugal upon
the basis of conciliation. On the 24th of April the
Marquis of Santo Amaro sailed from Rio de Janeiro,
but in the month of June the Emperor determined
to receive with the usual solemnities, as Ambassa-
dor from the Queen of Portugal, nominated by the
Regency of Terceira the Count de Sabugal, a
Portuguese Gentleman, who had been for some time
resident at Rio de Janeiro, and actively employed
as Agent of the parties, although without being
invested with any public character. The Under-
signed would ask whether this measure be not
at variance with the assurances of His Imperial
Majesty to the Legislative Assembly, and whether it
can be regarded as compatible with the declaration

communicated to the Chargé d'Affaires of His Majesty, in answer to the demand which he had been intrusted to make, for an explicit avowal of the intentions of the Brazilian Government towards the Kingdom of Portugal. The consequences of such a measure, have been clearly pointed out by His Majesty's Chargé d'Affaires to the Brazilian Ministers, who have received timely information of the injurious effect which it could not fail to produce upon the Mission of the Marquez de Santo Amaro. But even, if His Majesty's Government were disposed to overlook a proceeding characterized as they think, by great inconsistency, the Undersigned would still be at a loss to conjecture in what manner the negociation could be conducted with the prospect of leading to any practical result. If the Regency of Terceira, having exercised one of the highest functions of Sovereignty, in naming an Ambassadeur, must be considered as an independent Power, how can the engagements of the Emperor of Brazil become binding upon the persons possessed of this character? If the Island of Terceira, ought to be regarded as the lawful seat of the Portuguese Government, it is not with the Emperor D. Pedro, but with the Regency of Terceira that we should treat. What security would the Infant D. Miguel possess that any stipulations of the Emperor D. Pedro could be ratified by the independent and legitimate Government of Portugal established at Terceira? But this Regency after all, owes its

existency to the Decrees of the Emperor D. Pedro himself, and it is supported by a monthly subsidy from the Imperial treasury. The Members are the creatures of his will and may be changed or removed at his pleasure. The persons thus appointed are not merely to administer the affairs of the Island which continues to resist the authority of D. Miguel but according to the Decree, by which they are constituted, their functions are „ to Govern and rule the Kingdoms of Portugal and the Algarves and the Dominions thereof „. His Imperial Majesty therefore, first appoints certain Individuals to form a Regency at Terceira; which Regency he is pleased to consider as the legitimate Government of Portugal. The Emperor then receives at his Court a portuguese Ambassador accredited by the Regency of his own creation: and all this takes place accompanied by the most positive assurances that the Emperor will never act in hostility to the Government of his Brother established de facto in Portugal itself, but on the contrary, that he is desirous of terminating all differences according to the principles of conciliation. The Undersigned thinks it necessary here to repeat that his Majesty's Government have expressly denied the right of the Emperor of Brazil to interfere with the Independance of Portugal, and they are still less prepared to admit the pretension of creating such a Government of Portugal as the Regency of Terceira; and of investing the persons

of whom it is composed with the attributes of Sovereignty

The Marquis de Santo Amaro will no doubt recollect that the Treaties which unites Great Britain and Portugal are of a very peculiar nature. After the final separation of Brazil in the year 1825, the British Government continued to guarantee the integrity of the Portuguese dominions, and of the Colonies still remaining to the Monarchy. In the present situation of the Island of Terceira, and its virtual dependance upon the Emperor of Brazil, it would be impossible to recognise the execution of those engagements, which have been entered into by great Britain. —

The Undersigned takes this opportunity of renewing to the Marquis de Santo Amaro the assurance of his most distinguished consideration. —

Foreign Office September 7th 1830. / Aberdeen /

His Excellency the Marquis Santo Amaro.

Está conforme

Visconde de S.t Amaro