Copy.

copie pour Londres.

Dec 19

H. B. M. Brigantine "Dolphin" —

At Anchor off Ubatuba Jan.y 6.th 1844.

Sir,

I have notice this moment (2 o'clock P.M.) that a Boat belonging to H. B. M. Brigantine under my command is arrested and seized in Ubatuba, which vessel is alone for the Purpose of purchasing Provisions, carrying a British Ensign &c Pendant, without arms, according to the custom of Civilized Nations, the Vessel under my Command, being only a short distance from the Shore — I directly reclaim, or demand, the Liberty of my Boat and Boats Crew — if not, you alone will be responsible for the Termination of this affair — and I shall lay the same before Your Government — I have &c

To

The Chief Authority at Ubatuba

Signed Wm. O Bryen Hoare —

Lieut. & Commander —

No. 4.

Doc 20

cópia para Londres.

24 de Janeiro de 1844.

Nº 4º

The Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, regrets that the Duty should again devolve on him of bringing to the knowledge of Snr. Paulino Jose Soares de Souza, Minister and Secretary of State for Foreign Affairs, another Testimony to the unjustifiable Conduct of Brazilian Local Authorities ~~~~ towards the Subjects of Her Britannic Majesty on Service on the Coast of Brazil. —

On the 6th Inst. the Lieg Bte of H. M. Brigantine "Dolphin", Snr. Paulino J. C. de Souza —

To

Snr. Paulino J. C. de Souza —

&c &c &c

then lying at anchor at the
entrance of Ubatuba Bay,
went to that place, early
in the Morning, with the
Steward, in order to
purchase Provisions, the
men being unarmed, and the
Longer and Pendant flying;
when the Boat was seized,
and the Crew made Prisoners,
maltreated, and placed in
Confinement. -

It is true that both
Boat and Crew were liberated
after some little Delay,
at the Demand of the
Commanding Officer; but
this simple Act of Justice
cannot be considered as any
Abatement of our Outrage

and Insult for which not a
shadow of excuse can be
offered: and the Undersigned
must call on the Brazilian
Government for an Assurance,
that some more stringent
Measures will be taken, than
have been hitherto, to
prevent a recurrence of such
inhospitable and inexcusable
Acts. —

Captain Pasley
Jan.y 22/44.

Inclosing a copy of Captain
Sir Thomas Pasley's Report on
this Matter, the Undersigned
requests Sir Ed.d to accept
the expression of his high
esteem and distinguished consideration.

Edmund Stanley

Rio de Janeiro —
January 24th 1844. —

Foi recebida no dia 26
de Janeiro de 1864
Resp.da em 30 do mes
mez e anno.

cópia para Londres.

Copy.

No. 21

H. M. S. "Curaçoa"

Off S. Sebastião January 22/1864.

Sir,

I have the honor to enclose for your Ex.cy's information a copy of a letter which I have received from Lieut. Hoare commanding H. M. Brigantine "Dolphin" reporting the seizure of his Boat at Ubatuba together with a copy of his letter to the Authorities there, which led to her Release.

It will be unnecessary for me to point out to Your Exc.cy how totally unjustifiable the Authorities at Ubatuba were in imprisoning an unarmed Boats Crew sent on Shore from a British Man of War

To
His Exc.cy
Hamilton Hamilton

laying at anchor in a friendly
Port for the sole purpose of
purchasing Refreshments for
You are but too well aware
that these Insults and
Annoyances to British Vessels,
are of constant occurrence, at
the small Towns and Out Ports
on the Coast of Brazil: such
conduct of the Inferior Authorities
being the more reprehensible,
as it tends to bring them into
hostile Collision with H. M.
Cruisers, without the slightest
necessity. —

I have &c —

(Signed)

Thomas Sabine Pasley —

Captain & Senior Officer

N.º 10.

cópia para Londres.

N.º 10

The Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has the honor to acknowledge Receipt of three Notes addressed to him by the Department of Foreign Affairs respecting the Launch, or Schooner, "Maria Theresa", detained by H. M. Brigantine "Dolphin" on Suspicion of Slave Trade Practices: two of them being from the Predecessor of Snr: Ernesto Ferreira Franca in that Office; the Third, N.º 21, from His Excellency himself.

The Undersigned has to regret the Delay so apparent in replying to the two former — of

His Excellency Snr: Ernesto Ferreira Franca —

&c &c &c

communications; but it has been unavoidable. The Documents transmitted by the Government in support of the claim to which those notes have Relation, were voluminous: it was necessary to prepare Translations and Copies, and to refer them afterwards to H. M. Naval Authorities in command here: Moreover, other matters of graver Import have demanded, and been occupying, the Attention of the Undersigned. But to enter on the more especial Object of these communications—

The Undersigned having transmitted to the competent British Authorities the Demand in Restitution of the "Maria Theresa"

presented by the Party claiming to
be Proprietor, has received in
answer the Letters of which
Lt. Hoare - Copies are enclosed. —
Jan.y 26.

The Letters to which His
Excellency's particular attention
is invited, while they explain
the Instructions under which
Lieutenant Hoare acted, decline
also, for the Reasons therein alleged,
to make the Restitution demanded:
and they refer the Parties interested
to the Vice Admiralty Court in
British Guiana, before which the
Schooner in question is to be
carried for Adjudication. —

The circumstances attending
the Detention, as reported by
Lieutenant Hoare, are sufficiently
distinct and explanatory; and

the Undersigned forbears to enter into
any unnecessary Recapitulation; but
he cannot refrain from pointing
out, nor will His Ex.y fail to estimate
justly, the remarkable contradiction
afforded by the protracted Stay of
the "Dolphin" off Vigo for the express
purpose of receiving any Documentary
Evidence which might enable him to
liberate the "Maria Thereza", to the
Statements advanced by her Owner,
supporting that Lieutenant Hoare
refused to receive on-board both
her Master and her Papers.—

The Undersigned will submit
to Sir. Francis only one other Observation.
It appears to be the opinion of His
Ex.y that the Liberation of the
"Maria Thereza" depends altogether on
the Determination of the Undersigned:

This

this is not the case :- Her Majesty's Ships of War act under Instructions from Her Majesty's Government, and it is to the Government, and to the Law, that they are alone answerable for the manner in which those Instructions are carried into Execution. —

The Undersigned takes advantage of this opportunity to renew to Snr. Franca the assurances of his high esteem and distinguished consideration. —

Hamilton Hamilton

British Legation —
Rio de Janeiro February 15th 1844. —

Copy.

Copia para Londres

Dec. 26

H. M. Brigantine "Dolphin"

Rio Janeiro. 24. Jan.y 1844.

Sir,

In reply to your letter of this Date and H. M. Ministers communication, I beg to enclose the Statement in Detail as you have requested. —

On 12 Dec.r 1843 being 20 Miles off the Coast of Brazil in or about Lat.e & Longitude 44 ° 25 West Lat. 23 ° 45 South, my Boat, with a Warrant Officer, boarded the Schooner reported to be the "Maria Thereza" which I considered a very suspicious Vessel having on-board a quantity of jirked Beef, some Farinha, a Bundle or two of Cloths, similar to the quality worn by Negroes

To
Captain,
Sir T. C. Pasley Bart.
&c &c &c

round their Bodies and a Copper
Boiler, in the Hold, and Ballast,
her Caboose or Cooking Place also
large: however, - on this occasion,
not wishing to use harsh
measures, I allowed the Vessel
"Maria Thereza" to proceed,
intending as she was bound to
a Port in the immediate Vicinity
of several Slave Factories, of which I
Places I had good Information, to
keep a look out for her and her
future proceedings. - On the 30th
of Dec. I observed the "Maria Thereza"
under Sail rounding the western
Point of Ilha de Porcos: I then
sent a Boat with my second in
command to board the same,
having that morning had the
most authentic Information

of a Slaver having landed in the
immediate Vicinity. The Officer
returned from Boarding, reporting
the Schooner to be the "Maria
Thereza" without any Papers or
Passport, and that he could
not make out where she
was bound or where she came
from. -

I immediately went from the
"Dolphin" in person to investigate
the same matter: On my
reaching the Schooner I found
her without Colors, no Master
on-board, and no clearance or Paper
of any kind to prove her Nationality
nor did anyone on board know
anything of her Destination. I
found a Brazilian Barque
and two distinguishing Flags, one

of which, corresponded exactly
with that borne by a Portuguese
Slaver I had that Day captured;
8 leaguers in her Hold: 2 large
Rolls of Tobacco, some Farinha,
and a Roll of Matting: the
Master they stated to me to be
on-shore. I begged they would
send their Boat for him, which,
after some persuasion, they did,
with a white man and a
Slave in her Boat: this
Boat never again returned: after
some considerable delay a large
Canoe came out with 5 men,
and was about to come on-board,
when I desired she would lay
off until I was informed
what they were: to my
Question as to one or two of
the

the persons in the canoe being the
Master of the Schooner, the Reply
was in the negative.. I then
asked had they the Passport,
Manifest, or the Vessels Papers.
they answered - no. I then said
they could not come on-board
and I must detain the Vessel,
but that I was going to remain
at Anchor off Isle Porcos for
48 hours and that any proper
Document or Clearance such as I
considered all vessels should possess
in some Shape, navigating the
High Seas, being produced to me
I would then liberate her
instanter, - Watuba being not
more than 2 hours Passage from
Porcos, I considered this ample time.
On the following morning I was

waited on by a Mr. Grace an
Englishman residing at Porcos,-
and who stated himself to be a
connexion of the owner of the
schooner and entreated me to
liberate her, at the same time
stating they were in error in
not having any papers on-board.
I then stated all the circumstances
fully to Mr. Grace, desired and
requested he would communicate
to his Relation that I should
be too happy to release the
Vessel, on anything like a
clearance from the Alfandega
or Conceito of Abatuba, as the
was a vast deal of trouble to
me; I had also a conversation
that day with a most respectable
Resident at Porcos who condemned

the conduct of Sur: Grace. The
Vessel remained 12 hours over the
time I named at Turcos and no
Paper was produced: but on the
following morning before I was
out of bed, the Officer of the
Watch reported a Canoe alongside
with a Black man who desired
to speak to me. I desired him
to be shewn to my Cabin: he
entered, placing a Paper on my
Table - saying, Protest Commandant
I enquired who he was as
certainly from his outward
Dress, and, - having no Shoes or
Stockings -, I could not discern
his Office; - he said he was
an Officer of Justice. - I asked
for his Authority: he said that
was at his house: - I said I