2 Sales

6
359

Most Excellent Sir,

I have the honour to enclose to Your Excellency a Statement of the claim of Capt. Wm. Wolfe upon the Government of Brazil, for the burning of the American Brig Brutus, and Cargo, in the River La Plata, by the Squadron of His Imperial Majesty.-

Agreeably to the principles laid down for the government of the said Squadron, and agreeably to its prac-tices for many months passed, Neutral Vessels found in the River are to be warned off, and are not liable to Cap-ture, without they afterwards attempt to force the blockade.

The Brutus having spoken with none of the Squadron, having received no Warning, having no article on board con-traband of War, was not liable to Capture, and consequent-ly Her destruction cannot be justified; It was excused by the Brazilian Commanding Officer (as appears by the protest of Capt. Wolfe) upon the plea, that (as She was then on-ground and could not be conveniently gotten off) it was a necessary measure to prevent Her falling into the hands of the Buenos Ayreans.-

If Sir, a Belligerent Power inflicts an injury upon an Unoffending Neutral, as a means of annoying her enemy, or of benefiting herself, the claim of that Neutral to prompt and ample indemnification, is sustained by every principle of Law and of Justice..

Such has been the fact in the case of the Brutus, and the claim of Capt. Wolfe is of that clear, unequivocal character, as to admit of no plausible objection..

I beg leave also to call Your Excellency's attention to a practice lately originated at Monte Video, of endorsing the documents of Neutral Vessels (making a written declaration thereon that the River is in a State of blockade); This I presume is intended to obviate the necessity of the Warning by the Blockading Squadron, but I must contend, that it is an inefficient Ceremo-
-nial..-

A blockade to be legitimate must be actual; the Neutral cannot offend against it, without a cer-
-tain knowledge of its existence, and that knowledge is only to be acquired by speaking with the Squadron.-

A declaration made at Monte Video of a fact existing at the time, a hundred or more miles off is an absurdity, it can have no claims to the credence of the Masters of Neutral Vessels, and should not be ex-
-pected to influence their conduct..-

From the boisterous and difficult naviga-
-tion of the River La Plata, and various other cir-
-cumstances, a blockade of it, may be strenuous to-day, and raised to-morrow; the right of the Neutral to enter the Port the Moment the blockade is raised I presume will be admitted, and if so, his right to embrace the earliest opportunity, and to seek informa-
tion by approaching the Blockading Squadron, can-
-not be denied.-

I have made this communication to Your Excellency, that if the Monte Video endorsements are not discontinued, they may not be confounded

with the endorsements of the Squadron.-

I beg Your Excellency to accept the assurance
of my most distinguished consideration.-

Consulate U. S. A.
Port au 28th 1827

H. W. Dolbright

To His Excellency,
The Marquis of Aracaty
Counsellor, Minister & Secretary of State
For Foreign Affairs
&c &c &c

(Copy)

Statement of the Claim of Capt. Wm. Wolfe against the Brazilian Government for the destruction of Brig Brutus and Cargo.—

Brig Brutus and Stores	18.000
Her disbursements at Santos	1.115
Cargo shipped at Santos for account of Messrs. Foster & Giraud	20.747.
Advance on Do.	10.373.
Cargo shipped for account of Capt. Wolfe	524
Advance on Do.	262
Private property of Capt. Wolfe	153
Three months Extra Wages paid Crew	258
Capt. Wolfe's passage from Monte Video to Rio de Janeiro	200
His passage from Rio de Janeiro to the United States	200
His wages for four months, from Capture until the probable time of his reaching home	400
His board and expences at Monte Video and Rio de Janeiro	73
Dolls.	$52.305

Rio de Janeiro November 13th. 1827

(signed) Wm. Wolfe