of the said Vessel for cooking purposes,— no other fuel being onboard the said Vessel.—

And the said William David for himself made oath that he is a native of New Orleans in North America, and that there is no other person belonging to the crew of the said Vessel who is a Native of the United States or British America or any other part of North America than himself and he believes he is the person referred to in the said Affidavit of the said Robert Reid as an American Seaman.— That previous to the present voyage Deponent made two voyages with the said Joze Maria Pereira, one from Rio de Janeiro to Rio Grande and the other from Rio de Janeiro to Montevideo, that the same were lawful trading voyages, and that the said Joze Maria Pereira was not during either of the said Voyages engaged in or connected with the Slave trade in any way whatever.— That Deponent has been at sea for the space of Fifteen years and during the whole of that period he never sailed in any Vessel which was engaged or which he knew to be engaged in the Slave trade, and that he never was in any way whatever engaged in or

Commander

connected with the traffic in Slaves nor was he ever previous to the capture of the said Vessel charged with being engaged in such traffic.-

And the said Deponent further made oath that the said Robert Reid hath untruly alleged in his said Affidavit that he the Deponent contradicts the Statement made to the said Robert Reid by the said Joze Maria Pereira - to wit - that the said Vessel having sprung a leak off the Cape of Good Hope had run to Quillimane for repairs and whilst there had discharged Cargo -

And Deponent most positively denies that he ever stated to the said Robert Reid as he hath alleged in his said Affidavit that the damage which the said Joze Maria Pereira alleged he had put into Quillimane to repair consisted of a trifling leak amidships which the carpenter had repaired - or that he ever stated to the said Robert Reid that he had been three times captured in Slave Vessels, and had been imprisoned, and that he supposed the same fate then awaited him - or that the said Joze Maria Pereira held a knife to the Breast of Deponent

or

or that he ever stated to the said Robert Reid or to the prize Crew put onboard the said Vessel in the voyage hither that the said Vessel was engaged in the Slave trade at the time when she was captured. -

And Deponent further made oath that the said Robert Reid hath also untruly alleged in his said Affidavit that after the arrival of the said Vessel in Simons Bay when he stated to Deponent that a hole had been purposely made to cause the said Vessel to leak, that Deponent did not contradict his assertion. on the contrary Deponent then told the said Robert Reid it had not been so made but had been caused in manner aforesaid. - Upon which the said Robert Reid said "Do you think "we are all as green as cabbage." -

And Deponent further made oath that the damage the said Vessel sustained was of such importance as to render it necessary to put into Saldhana to get the same repaired. - that whilst there the said Jose Maria Nevers did discharge a considerable part of his Cargo. - that the said Vessel did

not

not put into Guillaume) afraid for any purposes
connected with the traffic in Slaves, and Deponent
never was captured in Slave Vessel nor was he
ever imprisoned for being engaged in the Slave trade
and the said Jose Maria Pereira never held a
knife to the breast of Deponent for making
any disclosures relative to the said Vessel or
That the only occasion on which he had
any dispute with the said Jose Maria
Pereira was about eight or nine days after
leaving Guillaume, when Deponent went
below and cut a piece of rope to make a mat
upon which occasion the said Jose Maria
Pereira asked Deponent who gave him leave
to cut the rope, to which Deponent replied
that he cut it himself as it was all his rope.—
Upon which the said Jose Maria Pereira told
him if he ever did any thing of the kind in future
he would have a quarrel with him.— but the
said Jose Maria Pereira did not then or at any
other time hold a knife to the breast of Deponent
And Deponent further saith that the
Sagueiro dos Santos for themselves made such
that they never on any occasion observed the

said

said Rose Maria Peres holding a knife to the
breast of the said Williams David

And the said Williams David for himself
further made oath that on the day the said Vessel
sailed from Guillimans in charge of the said
Robert Reid, he told Deponent that if he
conducted himself well he would get more
than his wages, to which Deponent replied that
he would do all that he could onboard the
said Vessel.- And afterwards during the said
voyage from Guillimans the Quartermaster
of the "Sappho" stated to Deponent that
the said Vessel "Diemfekaute" was a good prize
and would certainly be condemned, and that
as Deponent was an American he would put
me ashore at Simons Town and give him
Five pounds.- which offer Deponent did not
accept, and upon the arrival of the said Vessel
in Simons Bay the said Quartermaster delivered
to Deponent the paper writing hereunto annexed
marked A and charged him to say nothing
about it to any body but to read it and give
him an answer, and the said Quartermaster
afterwards asked Deponent for the said Papers

writing

writing which he declined to return.—

Sworn before me by the three
Deponents named opposite
through the sworn interpretation
of John Harold Cornwallis
this Ninth day of February
1846

William David

José da Costa Cruz

Antonio Sagero dos Santos
his X mark

W. Porter
Surrogate.

---

(A)

At the expiration of 3 years to be reckoned from the exchange of the ratification of the present treaty it shall not be lawful for the subjects of the Emperor of Brazil to be concerned in the carrying on of the African Slave Trade under any pretext, or in any manner whatever, and the carrying on such trade after that period by any person, subject of his Imperial Majesty shall be deemed and treated as Piracy.—

In the Vice Admiralty Court
of the Cape of Good Hope

Our Sovereign Lady the Queen

against

The Brig or Vessel called the
"Triumphante" whereof José Maria Serrio
was Master claiming the Protection of the
Flag of Brazil her tackle apparel and
furniture and the Cargo laden therein
taken and seized by Robert Fitzgerald
Gambier Esquire Commander of Her
Majestys Ship "Alceste" and brought
into Simons Bay Cape of Good Hope

Appeared personally Benjamin Norden of
Cape Town Merchant and made oath that between
the Years One Thousand Eight Hundred and
thirty five and One Thousand Eight Hundred
and thirty Eight he made five several voyages
in three British Vessels from Algoa Bay
in this colony to Quillimane and other Portuguese
Settlements on the Eastern Coast of Africa

that

that the said Vessels were laden during the aforesaid
voyages with Cargoes consisting of Merchandize
and English Manufactures belonging jointly to
Deponent, - Maynard Higgins and Company of
Port Elizabeth and Laurie Hamilton and Company
of London and Deponent always acted as Supercargo
during the aforesaid voyages. -

And Deponent further made oath that on
each of the aforesaid voyages he landed and disposed
of considerable portions of the said merchandize
and Manufactures at Quillimane aforesaid -
and that the officers at the Custom house of the said
place invariably required Deponent on such
occasions to deliver up to them the original
Manifest of his cargo, with which requisition
he always complied, and Deponent never
afterwards on any or either of the aforesaid
occasions received back the original Manifest
so delivered up by him as aforesaid, but that
instead thereof he always received from the
said officers a certificate which he always
entered such parts or portions of the said cargo
as remained unsold together with such Cargo
as he took on board at the said

Place

place, and the said Original Manifest remained
remained in the Custom house at Walvisbaai aforesaid
and Deponent verily believes such to be the general
practise at the said place. And Deponent further
made oath that a large portion of the Cargo
laden on board the Vessels in which he sailed
as aforesaid consisted of Aguadente, as much
of which as he thought proper he was allowed
to dispose of at Walvisbaai aforesaid without
any complaints being made against him for
having infringed any of the laws of the said
place, - And Deponent is now shipping on
board the schooner "Pilot" at present lying at
anchor in Table Bay a much larger quantity
of Aguadente than which is on board the said
Vessel "Triumphante" and which will be
cleared at the Custom House in Cape Town and
which he intends to dispose of at Walvisbaai
aforesaid. -

~~And Deponent further made oath that he hath~~
been informed by the Chevalier Ulrico Dupraz
that he hath carefully perused and examined the
Ship papers delivered up by the said Jose
Maria Pereira to the captors in this case. and

that

that he the said Alfred Dupeat is convinced
that the said papers are perfectly regular according
to the Laws of Brazil and further that there
is nothing contained in the said papers which
could raise the least suspicion that the said
Vessel had been engaged in the Slave Trade
But the said Alfred Dupeat stated that
he did not wish to interfere voluntarily
in the said case, and would not do so unless
he was called upon

On this the 9th day
of February 1846
the Deponent was
sworn to the truth
hereof

B. Norden

Before me
W. Porter
Surrogate.

Erased by order of the Judge
John Reid
Register

In the Vice Admiralty Court
of the Cape of Good Hope

Our Sovereign Lady the Queen

against The Brig or Vessel
called The Triumphante whereof
Jose Maria Peixoto is Master claiming the
protection of the Flag of Brazil her tackle
Apparel and furniture and the Cargo laden
therein taken and seized by Robert Fitzgerald
Gambier Esquire Commander of Her Majesty's
Ship Sapphire and brought into Simons
Bay Cape of Good Hope

Appeared personally William Dane Cocks Master
of the English Merchant Bark "Susan Crisp" at
present lying at anchor in Table Bay and Benjamin
Norden of Cape Town Merchant and jointly and
severally made oath that on the Fifth day of February
instant they proceeded to Simons Bay with an order
from Robert Reid Esquire First Lieutenant of Her
Majesty's Ship Sapphire permitting them to go on
board the said Vessel "Triumphante" for the purpose
of examining her, - That they accordingly proceeded
on board the said Vessel and on going below they

found

found Seventeen watercasks being the whole which
the said Vessel had on board, Thirteen of which were
capable of containing from One Hundred to One Hundred
and Ten Gallons and Four capable of containing about Forty
Gallons, that the said casks were therefore capable
of containing according to the best of their judgment
about One Thousand Five Hundred and Ninety
Gallons —

John Reid
Registrar

And the said William Jane Cocks for himself made oath
that the above quantity of water is not more than was
necessary for the use of the Crew of the said Vessel
for such a voyage as that on which the said Vessel was
engaged, that the same is a much smaller quantity
than he would put on board for such a voyage for
lawful trading purposes with a crew of 10 persons
that for such a voyage he would not think it safe
to put on board less than Two Thousand Gallons —

And Deponent further made oath that they applied
to the Officer in charge of the said Vessel to be allowed
to examine the loose plank referred to in the affidavit
of the said Robert Reid sworn in this case upon the
Fifteenth day of January last past stated to be above
the Limber Streak, when they were informed by the
said Officer, that he had no orders to allow the casks

which

which were placed over the same to be removed
and without which the same could not be seen but the
said officer stated to Deponents that the said Plank was
the limbed board.—

And the said William Davis Cocks for himself
made oath that moveable limber boards alongside the
Kelson are usual in every Merchant Vessel.—

That Deponents examined the Bunks on board
the said Vessel referred to in the said Affidavit of the
said Robert Reid, and the said William Davis Cocks
for himself made that such Bunks are common
both in Brazilian and other Merchant Vessels engaged
in lawful trade. And the said Benjamin Forden
for himself made oath that he hath frequently seen
Bunks similar to those on board the said Vessel
in many English and other Vessels engaged in
lawful trade.—

And the said William Davis Cocks for himself
further made oath that he examined the Cabin
bulkhead, and found a Door which is common
in Merchant Vessels leading from the Cabin to the
Hold, that he also examined the fore castle Bulkhead
and found no open communication between the
fore castle and Hold.—

And

And the Deponents further made oath that they examined the said Vessel and her equipments generally and found nothing about the same which they conceived fitted or adapted for the Slave Trade, or which could raise any suspicion in their minds that the said Vessel had been equipped or fitted out for the Slave Trade, on the contrary they are of opinion that the said Vessel was equipped and fitted for and engaged in lawful trade

~~And the said Benjamin Norden for himself further~~ made oath that after coming on Shore from the aforesaid examination of the said Vessel he repaired to the said Robert Reid in Simons Town and stated to him that the claimant in this case would require the Second Mate, the Carpenter and William David the American Seaman belonging to the said Vessel to proceed to Cape Town to give Evidence on behalf of the said Claimant, and requested him to allow them to go to Cape Town for that purpose to which the said Robert Reid consented, And Deponent then stated to the said Robert Reid that he the Deponent was willing to convey to Cape Town any other three of the crew of the said of the said Vessel whom he might require to give Evidence to which the said Robert Reid replied that he did not require any of them —

W. L. Cocks

B. Norden

Sworn at the Cape of Good Hope Judge John Reed Registrar

On this the twelfth day of February 1846 both the Deponents were sworn to the truth hereof

Before me W. Porter Surrogate

The

The said William Davis Cocks and Benjamin Nordeu
further made oath that whilst on board the Vessel Triumphant
they requested the Officer in charge to shew them the
wood which was stated in the affidavit of the said
Robert Reid to be fit to be laid down as a Slave
deck, and the said Officer stated to Deponents in
reply that the only wood which had been on board
the said Vessel had been used as firewood by the
prize crew with the exception of a few pieces similar
to the two pieces referred to in the affidavit of Boze de
Costa Cruz second Mate, Antonio Sagira dos Santos
Carpenter and William David American seaman and
that the whole of the said Wood which was on board
the said Vessel at the time of her capture consisted
of pieces of wood of the same description as the said
two pieces, which two pieces are about Five
and a half feet in length and only fit for firewood
or Dunnage

And the said Deponents further made oath that
they are of opinion that it would be impossible
to form a Slave Deck of such kind of Wood

Sworn this the Twelfth day
of February 1846 before the
Deponents were sworn to
the truth hereof

Before me
W. Forder
Surrogate

W. D. Cocks

B. Nordeu

Manifest of the Cargo of the Brazilian Brigantine "Triumphante" of which Jose Maria Pereira is Master on her present voyage from Paullimane to Rio de Janeiro.-

| Shipper | Marks | Quantities | Packages | Description | Consignee |
|---|---|---|---|---|---|
| Jose Maria Pereira | SB W | One | Cask ——— | Brassware | Order |
| | B | 20 | Pipes ——— | Double distilled (aguadente) | |
| | " | 134 | Barells ——— | do. — | |
| | " | 6 | Crates ——— | Earthenware | |
| | " | 2 | Do. ——— | Do. | |
| | 15 | 7 | Casks ——— | Sugar | |
| | S | 3 | Barells ——— | Vinegar | |
| | | 3 | Do. ——— | Soaked Oil | |
| | | 20 | Casks ——— | Beer | |
| | | 4 | Do. ——— | Gin 2/ (Hollands) | |
| | | 4 | Do. ——— | Preserves | |
| | | 6 | Cases ——— | Macaroni | |
| | | 93 | Bottles ——— | Aniseed | |
| | | 10 | Ankers ——— | Olives | |
| | | 1 | Cask ——— | Blocks or putteys | |
| | | 70 | Do. ——— | Rusks | |
| | | Eleven | Do. ——— | Do. | |
| | | 13 | Pipes ——— | Slops water | |
| | | 4 | 1/2 do. ——— | Do. - | |

28 Nov 1845

p.40

| | | | | | |
|---|---|---|---|---|---|
| | | 1000 | Billets or Logs | For pressing or Stowing Cargo | For Ships |
| | | 3 | Bags | Farinha | |
| | | 2 | Barrels | Salt Beef | |
| | | 2 | | Rice | |
| | | 1 | Box | Guava Jelly | |

Different provisions for Ships at Boulby. Sucking Pigs &c (Live Stock)

Quillimane 28th. Nov. 1865

Joze Maria Percira

I certify that the signature above is the true signature of Joze Maria Pereira Master of the Brazilian Brigantine "Incomparavel" who declared this to be the true Manifest of the Cargo which he carries back to Rio de Janeiro and which has been reshipped

Conferido Custom House Quillimane
28th. November 1865

Paulo Mariano d'Andrade

A true translation from the Portuguese
signed Ryland Hapleton

3 To the Governor of Guillimane

M. Pereira Master of the
Brazilian Brig Triumphante saith
that he entered this port in distress
on the 31st. October last, that by the
ach of Portugal hereto ratified and complete
Survey's by skillful persons which he
presents and which shows the state of the
damage in which the said Brig is and
the absolute necessity that it should
be repaired and above all that the
said Brig should be run ashore to be
repaired in order to proceed to her
destination, and as this work cannot
be accomplished without finish
discharging Cargo therefore he prays
licence to discharge.-

Mr. the Secretary of Customs,
Acting Presidents of the same will order
the Brazilian Brig to unload and
deposit her Cargo in the Customs and
such as cannot be contained there to
be deposited in another building, rent
to the same and the Captain of the

Brig

Brig must make all possible haste
to repair his Vessel in order to proceed
to his destination that he must present
to the Secretary a Copy of these documents
within 3 days that it may be placed
among the records of the Secretary. -

Governor's Quarters
Quillimane

Quillimane 1845 Act of Survey of the
Brazilian Brig "Triumphante."
anchored at this Port which she
obtained at the request of J. C.
Pereira Captain of the said Brig. -

J. J. Gomez

A true translation from the
Portuguese. -

Ryland Hazleton

In consequence of instructions this day received, I left the 2nd Clerk of the Customs department, Ignacio Francisco de Souza, intimate to the Captain of the Brazilian Brig "Triumphante" that he prepare to go immediately out of these waters for which passage out there is a Certificate under the hand of the Commissioners of Customs.-

Quillimane dated 11th November 1845

Andrade

I have intimated to Jose Maria Pereira Captain of the Brazilian Brigantine "Triumphante" the above order, of which I gave him early intelligence as I Certify or give under my hand.-

Quillimane 12th November 1845

Signed - 2nd Clerk Ignac: Fran: de Souza-

Jose M Pereira { Examined and found correct

Quillimane 12th November 1845

2nd Clerk

Ignacio Fran: de Souza

a

a true translation from the
Portuguese.-

Ryland Stapleton

4.-

To the Most Illustrious Governor
of Quillimane and Rio de Senha.-

Saith Joze Maria Pereira Master
of the Brazilian Brigantine "Triumphante"
that it having been determined by two
competent Arbitrators that the expense
of the repairs of the said Brig will be
3000 full dollars and it being necessary
that licence should be granted to him
by the Customs department, to vend
Goods of his Cargo so as to raise the
sum of 3000 full dollars.-

He therefore prays your
Highness would be pleased that the
said department should grant that
which he prays.

C. R. ll.

Quillimane 27th November
1845.

J