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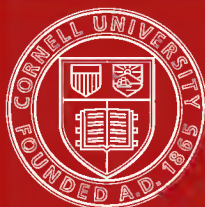
**The Brazil correspondence in the cases o**



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THE  
BRAZIL CORRESPONDENCE

IN THE CASES OF THE  
"PRINCE OF WALES" AND OFFICERS  
OF THE "FORTE."

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*(Reprinted from the Papers laid before Parliament.)*

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WITH

AN INTRODUCTION,  
TELLING SOME TRUTH ABOUT BRAZIL.







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LONDON: 1871  
WILLIAM RIDGWAY, 169 PICCADILLY, W.

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MDCCCLXIII.



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## INTRODUCTION.

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THE following correspondence has been reprinted in the hope that a knowledge of the pure truth as to the recent questions with Brazil may be thus more widely diffused. The paid puffers of Brazil and lacqueys of its Legation have had it too much their own way in the English press, and with the general public. It is time that some truth about the Brazilian Government should be told in support of the energy with which Lord Russell has lately endeavoured to bring Brazil to proper conduct, and his firmness in a tone best suited for the true, large, permanent interests of British commerce, and for ensuring in the end stable relations of friendship.

When the news of the difference with the Brazilian Government first reached England, in the beginning of February, the public were taken by surprise. There is a general ignorance about South American Governments in England, and a general indifference to Brazil, except among those connected with that country by commerce or speculation. There is no trustworthy English book on Brazil, written by any intelligent independent person who has lived long enough in that country to know it. The American work, "Brazil and the Brazilians," by Kidder and Fletcher, is an elaborate fulsome puff of Brazil which has done much mischief.

Not the least of this mischief is its having deceived the "Quarterly Review," whose article on the Brazilian Empire



(October, 1860,) written by a person who had evidently never been in Brazil, and had "got up" the subject from books, chiefly Kidder and Fletcher's work, and French publications of M. Charles Reybaud, a busy writer in the Brazilian interest, with perhaps some aid from the Brazilian Legation itself, has done much harm in creating a general false impression that Brazil is excellently governed.

Such a statement as the following is simply ridiculous to one who knows Brazil and the Brazilian Government, and is a puff in the style in which the Brazilians continually puff themselves, very unworthy of a periodical of the high literary character of the "Quarterly Review."

"In striking contrast to the greater portion of the territory that once formed the colonial Empire of Spain, there stands out in grand proportions, and as an almost solitary exception to the general political degradation of the South American continent, one country which the constitutional statesmen of Europe, and the free people of England, can regard with almost unqualified satisfaction."

Here is another similar puff.

"But in Brazil the action of Government is now as steady, and almost as regular, as that of the ordinary laws of nature."

Some statements which will follow as to the corruption of Judges in Brazil, are the best commentary on the innocent Reviewer's account of the administration of justice:—

"The dispensation of justice, although, perhaps, not so perfect, or free from all suspicion of corruption as that of England, is conducted with becoming solemnity, and is on the whole said to be satisfactory."

Mr. Layard stated in the House of Commons, on March 6, that a letter had lately fallen into the English Minister's hands, written by an influential official, calling on the Judge in a suit in which an Englishman, Mr. Reeves, was a party, to decide against Mr. Reeves. The Solicitor-General confirmed this statement with the additional remark that the



Brazilian Government declared there was nothing unusual in such a proceeding. This incident is referred to by Mr. Christie in a despatch to Earl Russell :

“ Your Lordship may think we are in a position fairly to suggest to the Brazilian Government that, while the canvassing of a Judge in a suit pending before him against an Englishman by a high official in the Ministry of Justice, is passed over without notice, Her Majesty's Government cannot be expected to assign great value to any legal proceedings in Brazil.” (November 6, 1862, p. 204.)

The Reviewer's remarks on religion and religious toleration in Brazil are a specimen of such nonsense as a man must write, who is determined to praise and does not know his subject.

“ The principle on which the Roman Catholic system is based is altogether abjured in Brazil. Religious toleration is one of the fundamental principles of the Constitution. All have full and entire liberty to profess and exercise any religion whatever, and to erect religious edifices, with the single restriction that they must not have steeples and bells. . . . At one remarkable crisis a complete separation from Rome was imminent, which would have been hailed, it is believed, with general satisfaction by the people ; there cannot be a doubt that the ties which bind this great country to the Papacy are now of the slightest character, and might, with very little provocation, be snapped asunder in a day. The Emperor, in imitation of the piety or custom of his predecessors, walks bareheaded, with a taper in his hand, in the procession in honour of St. George, and it is not probable that his subjects will cease to find their gratification in religious displays while they are thus countenanced by their Sovereign's presence. These festivals appear to be regarded in Brazil rather as popular festivities than as religious observances. The clergy endeavour to make them as attractive, and therefore as profitable, as they can. We have seen an ecclesiastical advertisement announcing that ‘ brilliant horse-racing ’ will terminate the solemnities of the day ; but the religion of the Church of Rome has no root in the land ; the priesthood are said to be diminishing year by year, and to have



been recently so reduced in number that the Government was under the necessity of sending to Italy for a supply to keep up the regular ministrations of the Church. We cannot but regard it as an auspicious fact that the reformed faith, as made known to the western continent, was first proclaimed, under the Dutch *régime*, within the territory of Brazil."

But this wonderful auspicious fact notwithstanding, there are probably not fifty Brazilian Protestants in existence, and the state of things so complacently described by the Reviewer as satisfactory, is nothing more nor less than decay of religious feeling. Where is the merit of the mummeries which the Emperor leads "in imitation of the piety or custom of his predecessors," and of the religious observances regarded as "popular festivities," and capped by "brilliant horse-racing?" The Pope's influence may have dwindled; but the Reviewer does not say that religion or morality grows. It is also difficult to appreciate the religious toleration, so delightful to the Reviewer, which excludes "steeple and bells." Such nonsense as this was probably never found in a work of the literary pretensions of the "Quarterly Review." The Brazilian clergy are notoriously immoral; there is little religion in the country and much bigotry and intolerance. Within the last two years in Rio de Janeiro a house in which Protestant worship was conducted by an exemplary Englishman, and to which a few Brazilians were known to resort, was surrounded and stoned, and the lives of the worshippers imperilled by a Brazilian mob; and there was very little zeal shown for repression or punishment by the Brazilian authorities. Within the last two years also the Custom-house authorities of Rio de Janeiro refused entry to Protestant tracts, for no other reason than that their doctrine was offensive to the religion of the State. The tribunal of the Treasury justified the exclusion of these tracts; and it was only under the pressure which has been brought to bear on the Brazilian Government on the questions of the "Prince of Wales" and the "Forte," that they



at last yielded to the remonstrances of the British Legation, previously unheeded, and the tracts have been admitted. This, by the way, is one proof of the good effects of Lord Russell's measures. At this moment the Brazilian authorities are in dispute with the German Protestants in Petropolis, requiring them to remove from the outside of a Protestant place of worship just built representations of a Bible and Crosses,—outward signs objected to by the Government of a country in which, according to the "Quarterly Review," "religious toleration is one of the fundamental principles of the Constitution," and which, according to the same high authority, "the constitutional statesmen of Europe and the free people of England can regard with almost unqualified satisfaction."

The Reviewer takes care not to mention the compulsion from England under which the Brazilian Government have suppressed the slave trade, nor does he even allude to the long struggle of English Ministers with bad faith and "subterfuges, evasions, and unfounded assertions" which preceded the compulsory suppression. He also glides most gently over slavery in Brazil :—

"The traffic was carried on with more or less activity until the year 1850, when measures were adopted for its suppression ; and it is gratifying to be able to add that no Government could have acted with better faith than that of Brazil in its efforts to completely put an end to it. . . . The moral aspect of slavery, as it still exists in Brazil, is in striking contrast to that of the United States. In the one it is an admitted evil to be got rid of as speedily as possible ; in the other it is an 'institution' identified, in the opinion of a large party, with the interests and prosperity of the country. It is probable that before many generations have passed away slavery will cease to exist in Brazil ; it exists now in a very mitigated form."

In the Slave Trade Correspondence, class B, presented to Parliament in 1862, p. 53, there is printed a despatch from Her Majesty's Minister in Brazil, commenting on the state-



ments of the "Quarterly Review" about slavery. Mr. Christie says,—

"There is no such law as is stated by the Reviewer, giving the slave a right to appear at any time before a magistrate, have his price fixed, and buy his freedom. This is a complete mistake. Slavery may be, and I believe is, with a considerable number of enlightened and respectable men in Brazil 'an admitted evil,' but as your Lordship will have learnt from previous reports of mine, there are no signs whatever, at present in Brazil, of abolition of slavery, and there is no disposition even to entertain measures for mitigating its acknowledged evils, or for preparing for ultimate abolition. And slavery in Brazil certainly is, what the Reviewer says that it is not, 'an *institution* identified, in the opinion of a large party, with the interests and prosperity of the country.' It would not certainly be inferred from the Reviewer's account of slavery in Brazil, that there are more than 3,000,000 of slaves in a population of from 7,000,000 to 7,500,000."

Mr. Christie reported, in 1860, 1861, and 1862, a proposal made in the Brazilian Senate to prohibit the public sales of slaves by auction, and the separation, in sales, of husband from wife, and children from parents. The proposal has been thrice rejected.

In the Slave Trade Correspondence B, presented this year, p. 112, is a despatch from Mr. Christie on an internal slave-trade between the Brazilian Provinces, showing that nearly forty thousand have been deported by sea alone from the Northern Provinces to Rio during the last ten years and a half. Mr. Christie says,—

"This number does not comprise the slaves who may have come with their masters, and been afterwarde sold in this Province, or those who may have been sent by land. In most of the northern Provinces heavy duties, from 100 to 200 milreis (10% to 20%) a head have been imposed on export of slaves. To evade these duties many have been sent by land, the journeys being sufficiently toilsome. These slaves have been principally absorbed in the coffee plantations of Rio de Janeiro and Minas Geraes, and some have gone



to St. Paul's. There can be no doubt that this internal slave traffic involves the cruelties of forced removal from home and separation of families. Attempts have been made on one or two occasions by independent members of the Legislature to obtain the prohibition of this internal traffic, which they have denounced as resembling in iniquity the foreign slave trade. But the general Legislature has never done anything in the matter.

Mr. Baillie, Chargé d'Affaires, writes to Earl Russell December 6, 1861 :—

“The external slave trade has undoubtedly ceased. There has been, I believe, no attempt to land slaves on the shores of Brazil for several years, and it is frequently said that a renewal of the traffic is impossible. This may turn out to be quite true ; but how far the impossibility arises from any real aversion to slavery or sense of its moral wrong, or of the debasing influence it exercises wherever instituted, is quite another question, and I much fear that the feeling of a very large class in Brazil is rather a sullen acquiescence in a state of things which, owing to external pressure and public opinion and other causes, cannot be helped, than from any conviction of the evils of the old system of negro importation.”

Enough has probably been said by this time to show the untrustworthiness of the praises of the “Quarterly Review.” The *animus* of the Reviewer, or rather of those whose misstatements he has unsuspectingly taken, and his own ignorance of the subject are strikingly shown by a passage on the relations of Brazil with the Argentine Republic. The Reviewer states :—

“The attitude of the Argentine Confederation towards Brazil, under the Presidency of Urquiza, was one of hostility, and an incipient war between the two states was stopped by the mediation of England and France. It was the avowed policy of this unscrupulous man to form a combination of Spanish American States against Brazil, and to wrest from it a considerable portion of its territory.”

There is only one answer to all this, Mr. Burchell's short



one on the "Vicar of Wakefield,"—Fudge. There was no "incipient war," no "mediation," no such policy on the part of that "unscrupulous man," Urquiza.

It is not of course to be supposed for one moment, and the writer would not dream of insinuating, that this unfortunate article of the "Quarterly Review" is to be ascribed to corrupt motives. The Reviewer doubtless believed all he wrote; knowing nothing himself, he blindly trusted to interested information. Credit must be given him for having worked up with much cleverness the bad materials by which he has been imposed upon.

The article in the "Quarterly Review" is not a solitary remarkable result of systematic efforts made by the Brazilian Government, for a series of years, with much expenditure of money, and with much adroitness, not only in England, but also in France, Germany, and other countries of Europe, and in North America, to create a reputation which is not borne out by their acts at home. Money is not wanting, and it is used freely. In the last budget a sum exceeding 18,000*l.* was voted for "secret service and suppression of slave trade," and a similar sum is voted annually. There is no slave trade now to suppress, and this sum is for secret service. Foreign writers of books favourable to Brazil are paid handsomely. It is a chief business of every Brazilian Legation to acquire as much influence as possible with newspapers, and get puffing articles and paragraphs inserted wherever they can. In Paris, Berlin, and Lisbon there are literary hacks in the service of Brazil. In Berlin a great object is to attract German emigrants, and the Brazilian Legation there is a central office for working the German press in praise of Brazil as a field for colonization and in disparagement of the River Plate countries.

The University of Oxford conferred last year, at the Commemoration, an honorary doctor's degree on the Brazilian Minister, M. Moreira, and another, at the same time, on Lord Palmerston. If this honour was worthy of Lord



Palmerston, it is very difficult to see how M. Moreira could be worthy of it. It is believed that it was intended as a compliment, not to M. Moreira, but to the Brazilian Government, and that it was a tribute to their suppression of the slave trade, which, it was probably not known at Oxford, was brought about chiefly by compulsion of Lord Palmerston, who is a constant and special object of Brazilian hatred, and of abuse in the Brazilian newspapers. This again is an ultimate result of long and adroit agitation by Brazil in its own praise, the success of which has been aided by the general indifference to Brazilian affairs, and consequent general ignorance about Brazil. It could not be supposed for a moment that the University of Oxford acted knowingly or directly under corrupt influences, any more than that it could have wished to diminish the honour which it offered to Lord Palmerston.

It is a very remarkable circumstance that two liberal newspapers, the *Daily News* and the *Star*, both vehement against the Confederate States in North America on account of slavery, have been the most eager defenders and protectors of Brazil against their own government, and have acted in the late questions as organs of the Brazilian Legation. How can this be accounted for with newspapers of their opinions and antecedents, closely connected with honourable and liberal politicians, except by their having placed mistaken confidence in information of parties whose interested motives they have not suspected? The editors of the *Daily News* and the *Star*, who have hitherto appeared to consider that the Brazilian Government is immaculate and must always be right, and that the English Government is necessarily wrong if it complains of Brazil, would do well to study the information as to slavery in Brazil constantly given by the *Correio Mercantil* of Rio de Janeiro, and that annually supplied to Parliament in the Slave Trade Blue-books, Class B.

The last of these Blue-books, just laid before Parliament, contains, in continuation of preceding publications, much



correspondence, showing the bad faith of the Brazilian Government and their persevering refusal to attend to the representations of the English Government relative to free Africans, calculated to be about ten thousand in all, who have been consigned to the care of the Brazilian Government under treaty, and on a guarantee of freedom, but who are ill-treated and kept in slavery, and the Brazilian Government will give no information.

The following are extracts from the correspondence presented to Parliament in 1863 :—

“ If the statements contained in this article are well founded, which would appear from Mr. Baillie’s despatch to be the case, the Brazilian Government has undoubtedly broken faith both with these emancipated blacks and with her Majesty’s Government, under whose auspices, conjointly with that of Brazil, the negroes adjudicated upon by the mixed British and Brazilian Commission were emancipated.” (Earl Russell to Mr. Christie, Feb. 6. 1862.)

“ Your Lordship may, I think, consider it abundantly proved by the long correspondence on this subject from Mr. Hudson’s time to mine, that the Brazilian Government have not fulfilled their obligations as to these free blacks, and that they have treated evasively all demands of her Majesty’s Government even for inquiry and information. The conduct of the Brazilian Government about the free blacks is not to their honour, and is such as to throw doubt on the singleness and purity of their motives in the abolition of the slave trade. Your Lordship will, I hope, now excuse me for suggesting that the conduct of the Brazilian Government about the free blacks furnishes an answer, if her Majesty’s Government desire to use it, to the Brazilian complaints that notwithstanding the entire cessation of the slave trade, the Aberdeen Act remains unrepealed. And another similar answer may be derived from another question, which I brought to your Lordship’s notice in my despatch of May 24, 1861, the number of slaves in Brazil, imported since 1831 in violation of law and treaty, and still held in slavery, without any effort or interference of the Brazilian authorities to terminate their illegal bondage.” (Mr. Christie to Earl Russell, May 3, 1862.)



"I again take occasion to say that I have yet received no answer to the note which I wrote by instruction from your Lordship so far back as March 18, 1861, asking for information about these free Africans, and to which I urgently recalled the attention of the Government, in my note to Senhor Taques of April 17. It should be to be presumed that the Government have kept a list of the free Africans, and of the private persons and public establishments to which they have been assigned for service ; and it seems extraordinary that, at the end of eighteen months, they should be yet unable to furnish Her Majesty's Government with a list of those still living and in service, dead, or emancipated." (Mr. Christie to Earl Russell, September 30, 1862.)

It is a matter of notoriety that the Brazilian Government have an active agent in this country, Mr. W. H. Clark, formerly Registrar of the Great Northern Railway, a member of the Reform Club, paid correspondent of the chief Rio de Janeiro newspaper, the *Journal do Commercio*, and writer in the *Daily News*, and other newspapers. He is practically a member of the Brazilian Legation.

Mr. Clark, paid correspondent of the *Journal do Commercio*, wrote on the 8th of February to that Journal as follows, about the articles in the *Daily News*.

"The *Times*, mistaken in many of its facts as to this event, taking for granted that the Under Secretary of State spoke truth in saying that English sailors had been assassinated, and, anxious to protect the Cabinet at the beginning of the session by warding off all serious questions, defends the proceeding. . . . The *Daily News*, better informed on the subject and on Brazilian affairs generally, and without allowing its friendship for Earl Russell to prevent it from speaking the truth, censures the whole of Mr. Christie's conduct. . . . Unfortunately the *Times*, having no correspondent in Rio de Janeiro, was not so well informed as the *Daily News*, and published on the 5th an inaccurate and stupid article."

It is Mr. Clark's business to get as much defence and praise of Brazil as possible inserted in the English news-



papers ; and all the puffing paragraphs and articles which appear are transmitted by him twice a month to the *Journal do Commercio*, where they are translated in full for the Brazilian public. The penny-a-liners have lately been very busy under his direction in "remarking" that M. Moreira's absence from levees was "remarked," and in recording the numbers who attended His Excellency at the railway station on his departure : and these inspired paragraphs will be duly reported to R  o de Janeiro to make the Brazilian public believe that M. Moreira's departure has greatly agitated the English people, and that there is here general sympathy with Brazil and general disapproval of the English government.

The following are a few specimens of the many gross misrepresentations which have appeared in the *Daily News* on the subject of the reprisals in Brazil. It is impossible to suppose that the highly respectable editor of that respectable newspaper can have been aware of the falsehoods which he was helping to circulate, falsehoods so easily exposed by reference to the published correspondence, or that he can have had a suspicion of the bias by which such misrepresentations may be explained.

"The correspondence shows that Earl Russell in issuing instructions to Mr. Christie, expressly gave him authority to make another reference to Her Majesty's Government concerning the response that might be made to his ultimatum before resorting to reprisals, and that Mr. Christie, concealing that authority from the Marquis of Abrantes, preferred the abuse to the use of those instructions." (*Daily News*, February 23.)

Malicious lying could not go further than this in misrepresentation. Earl Russell instructed Mr. Christie as follows, November 4th, 1862. "Her Majesty's Government are very reluctant to proceed to extreme measures against Brazil but as a last resource, and any proposal on her part for arbitration on the questions at issue may be referred



to Her Majesty's Government." (p. 198). That is, Mr. Christie was told that he might, not must, refer to Her Majesty's Government any proposal made by the Brazilian Ministry for arbitration. They made none. Mr. Christie was not told to refer any and every answer to Her Majesty's Government, and he was not told to communicate to the Marquis of Abrantes the readiness of Her Majesty's Government to consider a proposal of arbitration. That would have been equivalent to telling him to propose arbitration himself. Mr. Layard observed in his speech, March 6th: "It was not for the party who demanded redress, but for the party of whom it was asked, to offer arbitration."

"Brazil has submitted to pay under protest such damages as the Foreign Office may assess, and that submission under duress Mr. Christie with a perversion of all sense of justice and moral sense warned the Brazilian Government might aggravate the amount of the assessment. Lord Russell, however, gave no sanction to this monstrous doctrine of Mr. Christie, but practically rebuking his extravagance and spite, tells him, 'the sum to be fixed as indemnity will be based upon the most accurate estimate that Her Majesty's Government can form.'" (*Daily News*, February 23.)

It is clear from the correspondence that Mr. Christie never said anything of the sort to the Brazilian Government, and that Lord Russell has only done what Mr. Christie left to his Lordship to do. Mr. Christie having urged the Brazilian Government to refer the questions of their responsibility and of the amount of indemnity in the "Prince of Wales" case to arbitration, and the Brazilian Government declining to do so, and preferring to pay under protest, Mr. Christie wrote to the Marquis of Abrantes:

"The force of a protest against responsibility cannot, I think, but be weakened by a refusal to submit the point to arbitration; but at any rate Her Majesty's Government cannot be open to any imputation of indelicacy in taking on themselves to fix, as they are requested to do, the amount of compensation." (January 5, 1863, p. 286.)



Mr. Christie himself thus explains to Earl Russell that he proposed to leave it to his Lordship to give the sum :—

“The Brazilian Government had declared their readiness to pay immediately under protest whatever sum Her Majesty’s Government might demand. I voluntarily proposed that they should oblige themselves to pay whatever Her Majesty’s Government might demand. I was not able myself to fix the sum, and could only have named a sum large enough to cover all contingencies, which would have been invidious, and I wished to show perfect confidence in the honour of the Brazilian Government on this point.” (January 8, 1863, p. 232.)

There does not seem any extravagance or spite in this.

“A deep censure on Mr. Christie’s note as to the Forte is involved in this reference to the King of the Belgians. For so confident in the justice of its case in that matter did the Brazilian Government feel, . . . that it proposed to constitute the British Government itself the arbitrator to judge and decide on the whole case. But that did not suit Mr. Christie, he rejected the proposed reference to his own Government. . . . He resorted to reprisals, and then, when effectually frightened by the storm his conduct had raised, . . . he accepted the arbitration of another government on a single point of the case.” (*Daily News*, February 23.)

The Brazilian Government did not propose to make the English Government arbiter ; they proposed to instruct their Minister in London to treat the question with the English Cabinet. If the Brazilian Government had said that their Minister would be instructed to agree to whatever the English Government demanded, the question would have been at once settled, but this of course they did not say. It is painful to see in a paper of the reputation of the *Daily News* statements which must be ascribed either to extreme stupidity or malicious falsehood. Some of these statements have been reproduced in the *Star* and *Morning Herald* with suspicious similarity.



‘Who of us, we ask Lord Russell, can trade safely with Brazil or any other country, who can buy Brazilian or foreign bonds of any kind, who can with common prudence invest his money in the railway shares of small and defenceless states,—with great Powers it is another and a very different matter,—if mines like this are to be sprung under his feet by his own government.’ (*Daily News*, February 2.)

Railway shares, Brazilian bonds, there’s the rub ! It would evidently be more prudent to hold securities of Great Powers. Traders and speculators with weak ill-governed countries take all the risks and look for higher profits. The general interest clearly is that Her Majesty’s Government should make Brazil respect English rights and conduct herself with justice and courtesy towards England, and the traders and speculators should aid their own government instead of siding with Brazil for their own temporary individual interests. A few interested puffers make a great noise, mislead Brazil, and encourage her in wrong : the puffs are all sent out to Brazil, where they are mistaken for the public voice of England.

The *Morning Herald* has lately accused Lord Russell of having “waged war on Brazil on account of three drunken seamen and the opening of some boxes cast on shore by a shipwreck.” If these shameful words had appeared in one of the Brazilian newspapers, no one would have been astonished, but that they should be deliberately written in the leading columns of a newspaper which is an organ of Lord Derby’s party makes one almost blush for England. Of the transaction, described as a mere “opening of some boxes cast on shore by a shipwreck,” Viscount Palmerston, the Prime Minister of England, speaking in the House of Commons with all the responsibilities of his position and reputation, has said,—

“Though we have no positive evidence on the subject, we have reason to believe that the crews landed on the beach, and though carrying arms for the protection of themselves and their property, were overpowered by the people of the district, who with lassos



dragged them from their shelter, and then murdered them in a barbarous and inhuman manner. The Government have no evidence to enable them to assert that, as a positive fact, but I believe it is exactly what happened."

Mr. Bramley Moore, whose motion was ignominiously negatived without a division, chose to impute unworthy motives to Mr. Vereker.

"Mr. Vereker took his own view of everything, nor would he admit the facts laid before him by the Brazilian authorities; in short, he would believe nothing that did not suit the purpose he had in view, to vindicate himself and pick a quarrel with the authorities of the country." (March 6, 1863.)

Has it not occurred to this modest and clever patriot that similar language may be applied to him? Might it not be said that Mr. Bramley Moore would believe nothing that did not suit the objects he had in view, to vilify Mr. Vereker and Mr. Christie, make a great man of himself, and curry favour with the Brazilian authorities? Mr. Moore has a house of business in Rio, and it is natural that he should wish to stand well with the Brazilian Government. It is notorious that the house of Moore and Co. in Rio sell their goods among the Brazilians at twelve months' credit, and renew their credits at 1 per cent. per month interest, and that they have outstanding debts of two or three hundred thousand pounds. Does this make Mr. Bramley Moore a disinterested judge of the actions of public servants, who, in the performance of their duties, may render the recovery of his debts precarious? Lord Palmerston, as usual, hit the nail on the head in answering Mr. Moore:—

"It happens that the custom of trade in Brazil is such, that those persons who trade there have always large sums due to them by the Brazilian merchants. It is possible that, entirely distrusting the Brazilian Government, some of those British merchants may have thought that those disputes might place their debts in danger, and that, while on the one hand, they were glad the British



Government had adopted measures such as would secure them against future dangers, on the other they may have thought it convenient to find fault with the British Government on account of measures which in truth they were very glad to see adopted. (A laugh, and hear, hear.) That I believe to be the case, but undoubtedly a great majority of those merchants approved of what Mr. Christie had orders to do." (May 7, 1863.)

It is clear from the following passage of Mr. Layard's speech in the House of Commons on March 6, that the English Government have many and long-standing causes of complaint against that of Brazil, and that there is a general indisposition in the Brazilian Government to do what is right, which has at last compelled Lord Russell to act severely. Mr. Christie says in a despatch to Earl Russell December 8, 1862:—

"Your Lordship will not have failed to perceive from my late despatches, including several which will have reached you since the last instructions before me were penned, that the general proceedings of the Brazilian Government are most unsatisfactory, and show a great indisposition to do justice, and I anticipate much benefit for British interests in Brazil from the lesson which may now be administered, and may teach them that Her Majesty's Government, though patient and forbearing, will not in the end allow themselves to be trifled with." (P. 206.)

Mr. Layard said,—

"There were claims on the Brazilian Government to the extent of about 350,000*l*. His hon. friend (Mr. Seymour Fitzgerald) just now said that the present government had broken up the Commission that was to inquire into those claims, but his hon. friend must have certainly known the true history of that transaction. The Brazilian Government brought forward claims which had been finally settled by Mixed Commission Slave Trade Courts; the English Government could not consent to these cases being reopened, and as the Brazilians would not hear of anything else till these claims were admitted, the British Government were compelled to break up the Commission. The English Government



would have been only too glad to settle this large amount of claims, some of which had been pending for forty years. What happened only four or five years ago, and still formed the subject of correspondence between the two Governments? Without rhyme or reason, a treble tax was imposed on British commercial houses in Bahia (hear, hear); that enactment was still in existence, though it had not been acted on recently; many calls had been fruitlessly made on the Brazilian Government to repeal this iniquitous law. In the papers on the table reference was made by Mr. Christie to intimidation and the purchase of justice. That was an allusion to a letter which had fallen into Mr. Christie's hands from a high official in the Ministry of Justice, asking a judge to give his vote against an Englishman, Mr. Reeves, in a suit involving a large sum of money, in which Reeves was a party. It was said that Brazil had abolished the slave trade. He did not want to go into a history of that question, but he knew that the credit of that measure was due, not to the Brazilian Government, but to the noble lord (Viscount Palmerston), who had put down the slave-trade there, as he had put it down elsewhere (cheers). What were the facts at this moment? The Brazilian Government had entered into distinct agreements that a large number of negroes now in that country should be liberated at the end of a certain period of apprenticeship. That period had elapsed, and notwithstanding the remonstrances of the British Government, these negroes were still treated as slaves. It was impossible to obtain a list of them, or to trace what had become of them. These were some of the causes of complaint existing against Brazil (hear). Were the British Government to stand with their arms folded? Were they to rest satisfied with the plausible and, he must add, disingenuous notes of the Brazilian Minister?

It appears then that Her Majesty's Government have many other strong complaints against the innocent Government of Brazil.

The volumes of Slave Trade Correspondence B from 1845 to the present year show the course taken by the Brazilian Government about the free blacks, and their refusal not only



of all redress but of all information. Mr. Hudson, now Sir James Hudson, our distinguished Minister in Italy, then Minister in Rio de Janeiro, wrote to Lord Palmerston, November 17, 1846.

“Tricks are practised with respect to these Africans in transferring them from one master to another, until they are lost sight of and forgotten, in sending them to considerable distances from Rio de Janeiro, in supplying certain influential politicians and men in authority and of influence with them as a means of ensuring a certain line of conduct, in jobbing with them in one way or another, in giving false certificates of death or disappearance, against all of which it requires constant watchfulness and care.”

Mr. Hudson wrote again on the 11th of November, 1850.

“The position of these Africans is most wretched ; they are ill-used, ill-fed, beaten without mercy and without reason, sold, false certificates given of their death, and, in short, every man’s hand seems to be raised against them ; they have no chance of real freedom in Brazil.”

Mr. Consul Hesketh, in transmitting a list of free Africans, September 30, 1851 says :—

“The number emancipated by the Mixed Commission Court must have been much larger, and there is but too much reason to fear that many of these liberated Africans were removed far into the interior and sold, remaining in an even more helpless state of slavery than those whose names I now record. It will also be seen that several of the women have had offspring, and that a portion of these children have either been baptised as slaves, or their births withheld from parish registration. Some of the Africans who presented themselves gave the names of their deceased comrades, in a few instances stating that they perished from barbarous treatment.”

In a valuable article in the *Revue des Deux Mondes* on Brazil, (July 15, 1862), which does justice to the proceedings of the English Government against that country in respect of the Slave Trade, is the following passage stigmatising the



conduct of Brazilian planters and the Brazilian Government towards the poor free blacks :

" A clause in the treaty with England provided that the slaves rescued from slavery should receive their liberty only after having served an apprenticeship of seven years under the guardianship of agents of the Brazilian Government. These agents were themselves planters, who received on their properties the newly-landed slaves ; and in order to escape from the embarrassing obligation to give them liberty, took care to exchange their names with labourers old or sick. Whenever one of these last died, they placed one of the new comers' names on the list of deaths, and thus they made it all square with the Government, which amiably closed its eyes to these peccadilloes."

When the Brazilian Government have thus notoriously and perseveringly neglected their duty as regards the free Africans, may they not have behaved ill with regard to the shipwreck of the " Prince of Wales " and the officers of the " Forte ? " : What is the language in which statesmen like Lord Aberdeen and Sir Robert Peel have formerly spoken of the conduct of the Brazilian Government with reference to the Slave Trade ? The Slave Trade is now suppressed in Brazil, but is bad faith impossible in that Government ?

The Earl of Aberdeen, in introducing the famous measure empowering British Courts of Admiralty to deal with Brazilian Slave Trade as piracy under the provisions of our treaty with Brazil of 1826, spoke as follows, July 7, 1845 :

" Your Lordships are aware that the Brazilian Government have always declined to fulfil their general engagements to cooperate with the British Government for the abolition of the slave trade. With rare and short exceptions, the treaty has been by them systematically violated from the period of its conclusion to the present time. Cargoes of slaves have been landed in open day in the streets of the capital, and bought and sold like cattle, without any obstacle whatever being imposed on the traffic. Our officers have been waylaid, maltreated, and even assassinated while in the execution of their duty, and justice in such cases, if not actually denied,



has never been fairly granted. No doubt much has happened in the course of the last ten or twelve years, which would have justified, and almost called for, an expression of national resentment."

Sir Robert Peel spoke as follows, July 24, 1845, in advocating the same measure :

"The Government proposes this measure with regret. It would have been infinitely more satisfactory to them that the Brazilians should have consented to enter into a new engagement in substitution of the engagement of 1817, and should have acted in ready concert with us in the suppression of the slave trade. Repeated exhortations were addressed to the Brazilian Government for the purpose of inducing them to enter into amicable concert with us, and to enable us to search Brazilian vessels, and to punish those who were engaged in the slave trade, under that act which had been agreed to by the Brazilian Government of its own free will. But these efforts have failed. The Brazilian Government have from time to time distinctly stated to us that her views on this subject are entirely at variance with ours, and from the Brazilian Government we can expect no assistance or cooperation in the suppression of the slave trade by her own subjects."

Viscount Palmerston said on the same occasion :

"I am sorry to say that it is impossible to state in exaggerated terms the just accusation against Brazil of bad faith as to the Conventions agreed to by it respecting the slave trade. All our inducements, all our arguments, all our persuasions, were utterly fruitless, and whenever the subject of the slave trade has been discussed here, the notoriously bad faith of the Brazilian Government has been on all hands admitted and deplored."

The Brazilian Government have always refused to this day to agree to a Slave Trade Treaty, which would render it possible to repeal the "Aberdeen Act," and so late as July 21, 1856, when the Earl of Malmesbury took Brazil under his protection in the House of Lords, the Earls of Clarendon and Aberdeen spoke as follows :

Lord Clarendon said,

"The Act was not in operation at the present moment, and the Brazilian Government were perfectly aware that Her Majesty's



Government had no objection to alter the provisions of that Act, if provisions of equal stringency, or at all events, having the same objects in view, were secured by treaty. It was therefore the fault of the Brazilian Government, and not our fault, that the Act still existed, and with it the power of menacing the Brazilian Government."

Lord Aberdeen said, as late as July, 1856,

"He believed that that Act was justified at the time by the circumstances which then existed, but undoubtedly it was a measure of extreme severity, only to be justified by strong necessity. At the time of the passing of the Act, he had assured the Brazilian Government of his regret at having to prepare such a measure, and that nothing would give him greater pleasure than being able to move for the repeal of that Act. He had even hoped that the time for repealing the Act had come, but he regretted to find that what he had imagined had been completely effected by the Brazilian Government had not taken place, and that there were some symptoms of a renewal of the slave trade."

The account given in an article in the *Revue des Deux Mondes*, already mentioned, by M. Elisée Reclus, of the abolition of the Slave trade in Brazil, is a disinterested and valuable testimony :

"It was England which gave the first serious warning to Brazil on slavery, in concluding with this Empire the Convention of 1826 for the abolition of the slave trade. The Convention was not observed, and the slave trade continued without interruption in spite of the English cruisers. . . . Protected by the complicity of the local authorities, the slave traders had nothing to do but deposit their cargoes in some bay of the Brazilian coast. The English cruisers, exasperated by this shameful violation of treaty, pursued the slavers into Brazilian waters, forced an entrance into their ports, and went even so far as to silence the fortresses with their guns. English bullets are still to be seen in the walls of the fort of Nossa Senhora dos Prazeres, at the entrance of the port of Paranaguá. In 1845 England formally claimed by the 'Aberdeen Bill' the right of seizing suspected slavers in Brazilian waters, but



in spite of this energetic measure, which constituted almost a state of war between the two countries, the traffic in human flesh did not fail to assume every year greater proportions. The certainty of receiving in the Brazilian markets 400 francs for every black bought in Guinea for 100, excited the foul cupidity of innumerable slave-traders, and every year fifty, sixty, or eighty thousand slaves were imported. At last the Brazilian Government came to understand its duty, and in the end of 1850 passed a law assimilating the importation of slaves to piracy. The provincial authorities long braved this measure. . . . It, however, appears that the law is now more faithfully observed, and that the slave trade between Africa and Brazil has completely ceased."

Mr. Layard mentioned a recent flagrant instance of official interference in Brazil with the administration of justice, where an Englishman is concerned, for which it appears our Government cannot get redress. The state of judicial corruption in Brazil is frightful. The following testimonies of Brazilians to the corruption prevailing in their country may, perhaps, help to convince honest and disinterested Englishmen that the high praises of Brazil, sounded by its paid puffers, are not deserved, and that Lord Palmerston and Lord Russell may be justified in their complaints of the Brazilian Government.

The following is an extract of a letter published in the *Jornal do Commercio*, June 24, 1860, by the Baron de Mauá, addressed to Senhor Nabuco, a Senator, a Councillor, late Minister of Justice, now again a practising advocate, a leading Member of the Legislature and supporter of the present Government. The Baron de Mauá is a Deputy, one of the leading capitalists of Brazil, a man of the highest respectability, well known in London, and head of the London house Mauá, McGregor, and Co. It will be seen that Baron de Mauá publicly accuses Senator, Councillor, and ex-Minister of Justice, Nabuco, of having obtained a judgment by forging documents for his client, speaks of him otherwise most disrespectfully, and hints at collusion of judges. It is notorious



in Brazil that Senhor Nabuco, having been Minister of Justice, and expected to be Minister of Justice again, has great influence with the judges, many of whom have been appointed by him.

"Your Excellency has good reason to object to questions concerning the tribunals being discussed in the press. An advocate without scruples, ready for any business which will bring money, 'not to enrich yourself, but to pay your debts,' as you have declared in the Senate, it cannot certainly be agreeable to your Excellency that the light of publicity should penetrate into the mysteries of your gains. The desire of paying your debts is just and laudable, Mr. Councillor, but there should be honesty in the means employed for that end. For myself, let Mr. Councillor Nabuco be assured that I shall never shrink as long as his Excellency has the tolerance to permit me to continue to reside in my native country. And I say this seriously, for if your Excellency continues in your forensic practices, finding Judges to support you, and if there is a continuance of the plan begun of fabricating fraudulent documents to rob a man of his fortune, no one will judge himself secure in the possession of his property in our land, and I shall join the number of those who find themselves forced to emigrate. The desire of acquiring by means of honest labour is subordinate to the right of keeping possession of one's own ; and if this right is not guaranteed, there will only remain for those who do not choose to fight a death-battle with corruption, to abandon their country. You have good reason, Mr. Councillor Nabuco, not to wish discussion in the press. For tomorrow some one else, animated by the laudable desire of paying his debts, may employ a skilful forger to imitate our signature, or that of any other commercial firm worth the trouble, and by means of certain combinations, judgments having been obtained, rob us of our fortune or a part of it, as has just happened. If this were only a personal question, your Excellency knows well that in the conviction that so great a scandal, denounced by my voice and pen, might prejudice the credit of our country, with which again my property is identified, I should have patriotism enough to suffer resignedly the consequences of this judgment, even though the pecuniary loss were double of what it is. No, Mr. Councillor Nabuco ; No, a thousand



times No ; it is not a mere question of robbing a banking firm of some thousands of pounds for the benefit of a *protegé* of your Excellency. The loss sustained to day may by God's goodness be recovered to-morrow ; but it is not so with *principles*, which cannot be outraged with impunity."

Senor Sayao Lobato, then Minister of Justice, spoke of Brazilian judges as follows, in the Senate on the 12th of June, 1861.

"I will say, the rule is probity and integrity ; but I am forced, gentlemen, to confess that there are sad exceptions (cheers), on which the public fixes its stigma, and which the Government, as supervisor, and charged to promote by all means the responsibility of public servants, should keep in sight, endeavouring in all ways to fulfil this imperious duty of its mission."

Senhor Sayao Lobato was very severely attacked for admitting so much ; he might have said much more.

Messrs Mauá, McGregor and Co. have lately again publicly denounced the judicial administration of Brazil in a circular of January 10, 1863. They say :—

"We will repeat once more that the first necessity of social life is a good and correct administration of justice, which guarantees to every member of society the fruit of his labour, against the attacks of men of bad faith. When that does not exist, the country is on the verge of an abyss. Happily, the precedents of judgments of our tribunals exercise no influence beyond the individual ill done by them, when they are, like the one of which we complain, notoriously unjust ; otherwise the continuance of monetary transactions would be impossible in a country where so iniquitous a judgment can be given."

The Rio newspapers of March contain vehement denunciations against a judgment, said to be corrupt, in favour of a Brazilian magnate, the Viscount of Bomfim. The *Correio Mercantil* of March 14, contains a statement signed by the name of the writer, Gomes Freire, headed "Unprecedented Scandal," and denouncing by name three judges as having sold themselves to the Viscount. The *Diario do*



*Rio* of March 15, contains an article on the same subject of which the following is a passage :

“Unhappy country, where he who seeks justice meets infamy, he who seeks to gain an honest living meets opprobrious death, and thinking to place himself in the arms of defenders of his rights, finds himself in the grasp of robbers, who despoil him instead of protecting him ! Unhappy country, in which the cloak of justice covers a polluted hand, in which the title of Judge is a flag covering rottenness and filth, and serving to shield the pirate, robber, prostitute, and pervert. To rob in the high road, to attack the wayfarer, to take his purse from him, to leave him in want, is a virtue in comparison with the base trafficking in justice, the degrading sale of honour, by which also the victim is reduced to misery. And where is their remorse, when responsibility among us is a chimera ? There is none. For a long time Judges among us stretch out their infamous hands to the party who will fill them with gold ; for a long time they barter conscience and dignity for money.”

When Judges are thus publicly denounced in the leading journals of *Rio*, gross judicial corruption must be a fact, and general misgovernment may be inferred. The journals which have just been referred to have been loud in protesting against English aggression.

Senhor Tolentino, a Councillor, formerly the Brazilian Commissioner in the Mixed Commission for Claims, and since Inspector of Customs of *Rio de Janeiro*, was called upon in 1862 by the Minister of Finance, to make a report on charges of corruption made against Custom House officials, and reported a state of hopeless general corruption. The following is a passage of his published Report :

“Your Excellency is accustomed to say loudly that the Government is the plague. I will accept this remark, which in its restriction is invidiously partial ; but I will admit it only as an effect, in order to ascend to the cause of the symptom, and to find it in the heart of our society, in the origin, the customs, the education of our people ; after which, paraphrasing the sentiments of your Excellency, I will say with a greater extension, ‘the plague



is in the blood of the nation.' . . . . The acts of the Government have the greatest part of the responsibility for the scandals which are ascribed to the Custom-house. . . . . Your Excellency asks me what are the measures which I propose to suggest for making this department moral? I answer, none, if the Imperial Government intends that subservience to the unjust demands of patronage, which has extorted all nominations for the Custom-houses, is to continue to be the principle that governs."

Our trade with Brazil is large. The total value of annual exports and imports between the two countries may be twelve millions sterling, and there may be twenty millions of English capital in Brazil. The Brazilian advocate in the *Daily News* describes Brazil as a country "whose railways we are making, whose cities we are illuminating, whose metropolis we are draining, which has borrowed some ten millions of our money." "We have," says a Brazilian writer, "a country teeming with natural resources, but which are of no use to us without the stranger who takes our raw material and gives us his manufactures, for we are, thanks to the blunders of our rulers, reduced to be a nation of consumers." Lord Palmerston said of Brazil, in a debate on Mr. Roebuck's motion in 1857, that it was an extraordinary instance of a large Empire dependent on foreign countries for everything, on North America for corn and on Scotland for granite. England then is necessary to Brazil, and if the Brazilian Government find that they *must* behave properly to us, they will take care so to behave. The larger our commercial relations with Brazil, the more money we send there, the more Englishmen who go there, the more it behoves the English Government to insist on justice for Englishmen. It is the duty of Englishmen to support their own Government in protecting English interests, and not to delude Brazil with flattery, and incite her to resistance. It is not only the duty, but it is also the interest of all Englishmen trading with Brazil to support their own Government, in claiming due respect to the English navy, and in protecting



the rights of one of their countrymen. If we permit English naval officers to be treated with contumely in Brazil, we weaken the best security of Englishmen in South America. What is today the case of Mr. Stephens, owner of the "Prince of Wales," may tomorrow be the case of a Mr. Clark or a Mr. Moore. One or two Englishmen may buy favour for themselves, but the generality of Englishmen must look to their own Government for justice. English friends of Brazil will best befriend her by advising her to attend promptly and respectfully to the just demands of the English Government. Let Brazil do right at home, and she will obtain reputation abroad, without paying for puffs in every capital. M. Moreira was here long enough to learn something of English Government, English opinion, and English society; and it is a pity that he did not learn how weak, and sure to be broken by the first gust, was the reed on which he rested of inspired praises and manufactured glory. The English nation and English Government wish well to Brazil, and wish to treat her with courtesy, but they must have justice in return. The English Government would never show, and the English public would never sanction, violence and want of moderation towards a weaker nation which was just, and becomingly modest and respectful.



*Abridged Translation of Letter from Rio, written by  
a Brazilian, in the Orden of Pernambuco, of  
February 11th, 1863.*

Many months ago, the English Minister solicited explanations from the Brazilian Government about the English vessel "Prince of Wales," wrecked on the coast of Albardao, whose cargo was said to be plundered and part of the crew murdered with knowledge and connivance of the local authorities, and about the imprisonment of three officers of the English frigate "Forte," at Tijuca, as regards whom it is notorious that the Chief of Police, Agostinho Luiz da Gama, behaved reprehensibly. These were evidently serious subjects, easy, however, to be settled pacifically, for nothing else was necessary than for the Minister of Foreign Affairs to require explanations from the respective authorities, and having received these to confer with the English Minister, who would not have contested reason and justice if these had been made evident. Thus the questions might have been settled diplomatically.

But there was no such good fortune for Brazil. A nation in which ministerial life consists in putting on a parrot-coloured coat, and three-cornered hat, and decking oneself out with ribbons to go and kiss the hand or receive the orders of the Emperor, in eating and drinking, in running after amusements, in standing godfather in all directions, and for these very onerous services, pocketing salary with the profits which come *naturally* in addition; such a nation cannot, it is clear, share the advantages which belong only to nations governed by a predominant sentiment of national dignity.

The Marquis of Abrantes, who, unfortunately for Brazil, is Minister for Foreign Affairs, conducted himself in this matter as was to be expected of him. He neglected his duties, and, disregarding the requests of the English Minister, let things go to such a point that Mr. Christie, all hopes of amicable arrangements exhausted, accepted the question at the height to which the Marquis drove it, and fixed for the Brazilian Government a fatal limit of time.

It was then that Abrantes began to understand the gravity of the situation; and how did this infatuated Minister endeavour to extricate himself?



By proposing, on the eve of the expiration of the time which the English Minister had fixed, the reference of the question to London, that is, to be treated by the Brazilian Minister in London with the English Government.

This was to trick the English Minister, to trick the English Government, to trick the Brazilians, taking from them the solution of the question whose importance had excited them; it was to trick everybody, while the Marquis of Abrantes might relieve himself of the burden which his abilities had created, and get time for an honourable retreat from his post, saying to his successor—"He who comes after me may shut the door."

But the English Minister would not fall into the trap, and the exchange of notes became active; the running to and fro between the houses of Messrs. Abrantes and Sinimabù and the Palace was very remarkable; alarm spread, agitation commenced; the Marquis of Abrantes proposed to the English Minister to pay under protest, in London, the sum demanded for the plunder of the "Prince of Wales" and passengers. This proposal appeared to the English Minister so degrading for the Brazilian Government that, in replying to the note of M. d'Abrantes, he took no notice of it whatever, and after duly informing the Marquis, he gave his instructions to Admiral Warren, who, with two of his steamers, made some prizes of Brazilian merchant-vessels outside the harbour. The news of the reprisals increased the excitement in the city, particularly on the Exchange, where the effects of the folly and stupidity of the Government were beginning to be felt.

The agitation increasing, and our Boeotian rulers at last beginning to find the mustard too strong for their nostrils, the Council of State was consulted. The Marquis of Abrantes related to this august body the history of his doings. They ratified his proposal to pay under protest in London what was claimed for the "Prince of Wales," and in this way the English Minister, considering himself guaranteed, accepted the proposal, triumphantly as is to be inferred from the language in which he replied; and as to the affair of the "Forte," in which he left it to the Brazilian Government almost *ad libitum* to give satisfaction here, or refer it to arbitration in Europe, reserving the right of refusal to the English Government, the King of Belgium was proposed as arbiter and accepted by Mr. Christie.



During the agitation, the foreigners, with the exception of some low fellows who are always to be found making themselves singular by eccentricities and excesses, conducted themselves admirably, particularly the English, who might reasonably fear violence and ebullitions of popular frenzy, and notwithstanding that they saw their commerce threatened with annihilation (!) by the projected refusal of their bills on the *patriotic* Bank of Brazil (which, however, has not had enough patriotism to give a subscription to the expenses of the coming war), notwithstanding this, I say, the English made no change in their habits, remained quiet in their stores and counting-houses without taking part in the dispute between the two Governments. *Patriotism* went to the length of advising the public not to buy English goods for personal use, and, in general, to have nothing English, "for," said the *patriots*, "we want nothing from England;" and in order to prejudice the public more against the unoffending English, the report was set about that they had made a compact to sell no more goods except for ready money. It would be an unheard-of piece of good fortune for the commerce of Rio, and, indeed, for the whole Empire, if they would determine on this course, for it is their readiness to trust every pedlar who dubs himself a merchant which has ruined our commerce. This was unquestionably only a false alarm, spread by some *wide-awake merchant*, who was already counting on catching fish in muddy waters.

As to our wanting nothing from the English, this is very fine talk, but very difficult to prove, for arguments are worth nothing against facts. We have a country teeming with natural resources, but of what use are they to us if the foreigner does not take from us our raw material and send us manufactures, for the folly of our governors has kept us a nation of consumers? And if it were not for the money of Englishmen, how far should we have proceeded with our Don Pedro II. railroad? Without English money, would M. Ottoni's Mucury shareholders have been able to get rid of their scrip? Without English money, how would Brazil have freed herself from other troubles which have been got rid of by loans in London, which at the end of 1862 amounted to a sum exceeding seven millions sterling?

How then can we do without the English? How can it be said that we want nothing from England? God preserve us from a war with England, for it can only happen that we shall lose and she gain. Her navy will in the twinkling of



an eye swallow up our dwarf ships, and taking possession of our coast oblige us to shut ourselves up in the interior; and this for us who eat, drink, and clothe ourselves from the foreigner, and to our shame be it added cannot do without foreign teaching.

God preserve us from the curse of a war, which is being stupidly provoked by the Ministers of Foreign Affairs and of Agriculture. If unfortunately things should come to that pass, what will be the value of these fine patriotic demonstrations, these silly bursts of *patriotism* with which the capital is playing carnival? What will be the worth of this fine national subscription which may reach some ten thousands of pounds when millions will be wanted in a moment? What will be the worth of the fine array of Princesses, *fidalgos*, carbineers, and all other such nonsense, which will vanish at the fire of the first gun?

And where will the Treasury go for money to meet such urgent and sacred expenses, when all the public *employés* including the court are pining for their salaries, getting more and more into arrear, and when the Minister of Finance is thinking of giving the Bank of Brazil the power of illegally quadrupling its notes in order to be able to obtain from it a large loan for alleviating the difficulties of the State? And how repel English aggression when the Admiral of our miniature fleet is an Englishman; when we have no army though we have a Field Marshal; when we are completely deprived of fortifications by the carelessness and stupidity of our rulers; when, in fine, we are without everything in which our adversary abounds.

Far from us a war with the English, which will be for Brazil a calamity. If this nation has committed violences against us, which I do not deny, let the facts be examined, and let it be seen whether they have not arisen out of want of attention or respect in the Brazilian Government. Even in this question we see the Marquis of Abrantes refusing to the English Minister the title of Excellency, which the latter lavishly bestows on the Marquis.

I foresee that I shall be taxed with being a degenerate Brazilian, perhaps with being an Englishman. However my conscience tells me that I yield to none in patriotism. Patriotism against justice may be the patriotism of any one else who chooses, but will never be the patriotism of

CENSOR.



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## CORRESPONDENCE, &c.

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No. 1.

*Consul Vereker to Lord J. Russell.—(Received September 2.)*

Rio Grande do Sul, June 25, 1861.

MY LORD,

I have the honour to enclose, under flying seal for the Board of Trade, a despatch dated this day reporting the total wreck, upon the coast of this province, of the barque "Prince of Wales," of Glasgow, and venture to call your Lordship's special attention to the various circumstances in connexion with that wreck, as related in my report.

Your Lordship will perceive from this report that there is every probability that all the persons who had been on board perished. The measures which I adopted, proceeding to the coast (seventy miles) and saving all possible, are also reported, as well as my application that the bodies of the persons wrecked from that barque should be brought to the cemetery of this city, and, after an inquest had been held thereon, should be decently buried.

I have placed myself in direct communication with his Excellency the President of this Province, with reference to the savage and wicked proceedings of the natives in connexion with the wreck, as the case was one of urgency, and the referring it in the first instance to Her Majesty's Mission at Rio de Janeiro would have caused unnecessary delay.

I have, &c.,  
(Signed) H. P. VEREKER.



## Enclosure 1 in No. 1.

*Consul Vereker to the Secretary to the Board of Trade.*

Rio Grande do Sul, June 25, 1861.

SIR,

It is my painful duty to report the total loss, on the coast of Albardao, at about seventy miles to the southward of this city, of the British barque "Prince of Wales," of Glasgow, official No. 26,598, master unknown, and bound from Glasgow to Buenos Ayres, with a general cargo. I regret to state that it is but too probable that all on board of that vessel have perished.

In order that this sad case may be fully understood, as well as my reasons for supposing the vessel lost to be the one stated, and the motives of my proceedings, which I hope may meet with the approval of Her Majesty's Government, I shall proceed to report the circumstances as they came to my knowledge:—

On the evening of the 12th instant Senhor Bento Venancio Soares, the Justice of the Peace of the district of Albardao, arrived in this city, and mentioned, in conversation, that some bodies had come ashore on the coast opposite his house (four miles distant). Questioned as to whether he had any knowledge of a wreck having taken place, he denied all knowledge of such a casualty. This report reached me on the 13th, and in view of the large number of British vessels navigating on this coast, I instituted inquiries, but could obtain no further information, Senhor Bento having left for the country (Pelotas). Anticipating, I may say that on the 9th it was known in his neighbourhood that the wreck had taken place.

On the 14th I was informed, casually, by a gentleman who had spoken with the Delegate of Police on business, that the latter had just received from the Sub-Delegate of Tahim notice of a wreck at Albardao, and my informant added that from a paper he had seen he suspected the vessel must be British. I immediately proceeded to the Delegate of Police, but the papers were in the hands of his Secretary, to whom I went and found that the despatch was very vague, not even hinting the nationality of the vessel; and the only paper enclosed was that which I herewith send, being the receipt of the Shipping Master of Glasgow for shipping the crew of



the "Prince of Wales." Feeling convinced from this paper, and the manifest desire of concealing the fact, that the vessel wrecked was British property, my efforts in such cases being well known, I took possession of that paper somewhat against the will of the Delegate's secretary, and brought it to the Municipal and Commercial Judge (who under Brazilian law is the authority appointed to act in such cases). I pointed out to him my belief that the vessel wrecked was English, and my determination to proceed immediately to the spot, and requested him to accompany me; with the utmost frankness, and without hesitation, he consented to do so as soon as horses could be arranged. I had obtained a force of soldiers, and also invited the Inspector of the Custom-house to send down some officers; this he did, ordering to accompany me the assistant chief guard and two armed officers. As soon, therefore, as possible, we proceeded, journeying about thirty-eight miles that evening, and the next day about forty miles, when we arrived at night at the house of Senhor Bento Venancio Soares already mentioned, the nearest to the wreck, being most grudgingly admitted to shelter, and not receiving food either for ourselves or horses; a few biscuits which I had happily carried in my saddle-bags being the principal support of the party.

I desired to proceed at once to sleep on the coast, but some of the party were so exhausted that this could not be done.

At the first light on the 16th, we proceeded to the wreck, and the scene which then presented itself was melancholy in the extreme, the whole coast appeared spread with empty crates, barrels, and boxes, and with remnants of the vessel; most of these were crowded within a short distance west-north-west from where the hull was discovered. At this point were the longboat and gig, the oars, seamens' chests, supply of provisions, and various parts of the rigging, with part of the figure-head (a male figure with hand outstretched), and some pieces of the hull, chiefly the after part, including furniture of cabin and berths (red velvet), a portion of the stern with the name "Prin." I also happily rescued from the waves a bundle of dockets or orders to receive cargo; they were torn and imperfect, and massed with sand. I was enabled, however, after returning home, to make out from them the list enclosed. I also found a written paper with a note of wages due to crew of last voyage, at Monte



Video ; this paper was afterwards carried away by the wind. The only other papers found were part of a log-book, not written upon, and various portions of Bibles and Prayer books.

Satisfied of the identity of the vessel, I claimed the property as British, and enclose a list of articles saved, which, as well as various spars, &c., on the coast, I ordered to be brought to this city. I have added a note of the marks of various cases found on the shore, and a description of four bodies found near thereto.

Upon my return to this city, I addressed to the Delegate of Police the despatch of which a copy is enclosed to his Excellency the President of the Province. In this despatch you will find details showing the atrocious proceedings of the residents on the coast of Albardao.

Ten bodies are reported to have been found, including those of two females ; they were stated to me to have been all buried (five being in one place).

Nothing has, however, been found to lead to the knowledge of the names of any, except a brass plate on the broken cover of a trunk, which, as mentioned in the list, bears the name of "John McKinnon, Whitley Bay, Arran." I presume this would be the same person as John McKinnon, the number of whose certificate of competency of service is 5,395, who was master of the "Prince of Wales" some time since, as appears by Lloyd's list.

I should mention that when we proceeded to the shore, we were met by the Inspector of the District, Senhor Faustino, and an armed force collected in the neighbourhood, which outnumbered that which accompanied the Municipal Judge and myself.

It was the duty of the Inspector to protect the property and save all possible, in the absence of those who should take charge. How he performed that duty may be judged of by the circumstance that although many of the crates and some of the barrels had been manifestly broken by the force of the waves, many more were violently broken open and rifled of their contents ; many barrels which had contained beer were in this category ; and every case and box had been burst open and robbed of all its contents. A number had contained manufactured goods in tins, in most cases the tins had been cut open, and the contents taken away ; but in others the



tins had been bodily carried off. I would call special attention to the seamens' trunks, all of which had been violently burst open, and not a single article left inside, and yet they appeared quite dry within, the paper linings of some not having been even soiled, leading to the suspicion that they had come safely in the boats.

As an illustration I may mention that I claimed at Senhor Bento's house a beautiful edition of the Bible, with Eadie's Commentaries, and a smaller Bible, both perfect, and showing no stains or signs of having been damp; these, as it was confessed to me, had been taken out of the trunks.

Viewing the whole circumstances, I was most involuntarily led to the conclusion that those persons who so shamelessly had robbed the property on the shore, and who with depraved cunning had withheld all papers which might have led to the discovery of the real facts, would not have hesitated to commit personal violence in order to attain their objects.

I therefore requested to be shown where the bodies were buried, but this proposition was received with evident unwillingness, and consultation between the Inspector and his party. I then requested the Municipal Judge to proceed to an inquest on the bodies, but he declined to do so. I cannot blame him for this, as he was supported by but a small force, which in the probable event of resistance would have been easily overpowered. I therefore considered it best to proceed at once to this city, in order that an investigation might be instituted; as to proceed to Tahim, where the nearest political authority resides, would have been nearly as distant, and I had no reason to expect assistance from the Sub-Delegate of that place, Senhor Delfino Francisco Gonçalves, who had shown culpable negligence in the case.

Before leaving I requested the Municipal Judge to cause search to be made in the neighbourhood with a view to discover the goods, clothes, &c., plundered; this he consented to do, and proceeded to examine one district, whilst I, with a guard of soldiers, accompanied the Inspector in the adjoining district. Nothing was found in the houses, but it appeared to me from the conduct of those we visited, that the goods were probably concealed in the thickets, &c., near their houses, and that not only were they prepared for such a visit, but that they all acted in combination.

Having taken an inventory of the goods saved, and arranged for the conveyance to this city of all worth the carriage, I returned here.



I suppose the wreck will have taken place on the 7th or 8th instant, probably in the same gale in which the "Hound" of Greenock and other vessels were lost, and the close combination among those on the coast of Albardao is sufficiently exemplified by the delays in forwarding information, by which they had ample opportunity to hide their plunder; nevertheless some of the cases on the shore had been but recently broken.

On arrival here I immediately requested that the ten bodies which had been found should be conducted to this city, in order that they might receive decent burial, and that an inquest should be held thereon. Yesterday four out of the ten bodies arrived, the others being withheld. I was present at the inquest, but have not yet received the report of those four bodies; three had been found unburied in the open plain. These bodies were found away from the shore, and far from the remnants of the wreck.

It will be my duty further to report any proceedings upon this painful matter.

I have, &c.,  
(Signed) H. P. VEREKER.

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Enclosure 2 in No. 1.

*Consul Vereker to Senhor de Bitancourt, June 20. 1861.*

[See Enclosure 3 in No. 2.]

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No. 2.

*Consul Vereker to Lord J. Russell.—(Received September 2.)*

Rio Grande do Sul, July 5, 1861.

MY LORD,

In my despatch of the 25th ultimo I had the honour to enclose a report to the Board of Trade, respecting various circumstances connected with the wreck, at about seventy miles to the southwards of this city, of the British barque "Prince of Wales," of Glasgow. On the same occasion, I



respectfully called your Lordship's attention to that report. Therein the violent plunder of the cargo of the barque was referred to; the alleged deaths by drowning of all the persons on board; the circumstances under which the bodies were stated to have been found, far from the locality where the boats and principal portions of the wreck and cargo were remaining; the repugnance manifested against holding an inquest; as I requested, or even showing me the places where the bodies were buried; the circumstance that the authorities of the coast did not hold an inquest, as it was their duty to do; and various other occurrences, leading to the suspicion that violence may have been used towards some at least of those who had been on board the vessel, and even that those washed on shore may not have been buried, as was asserted,—were mentioned in the same report.

Under those circumstances, and as I could not, in view of the facts, rely on the efficiency or impartiality of the authorities of the coast district, I returned to this city, where I arrived on the night of the 18th ultimo. I immediately communicated verbally with the Delegate of Police, and afterwards addressed to him my despatch of that date (of which a copy is enclosed) requesting that the bodies of those who had belonged to the barque might be brought to the cemetery of this city, to be there, after an inquest had been held, decently buried.

The Delegate of Police promptly complied with my request, and on the following day sent down a force to bring up the bodies of those unfortunate persons; making it, however, a condition that I should guarantee the expenses, as he stated he had no authority to incur them. I felt bound to agree to this proposal, in order to omit no effort to discover the truth and punish the criminals; considering, also, that the decent burial of those unfortunate people was a matter which, in due regard to British character and dignity, I should provide for: but I stated that, inasmuch as the expenses were principally caused by the negligence of the Brazilian authorities on the coast, in not holding an inquest, or causing the bodies to be regularly buried, I considered that the expense, as far as it resulted from that circumstance, was one which should properly fall on the Brazilian Government.

I have now the honour to request your Lordship's authority for the expenses I have incurred in this matter.



In order that the whole circumstances may be before your Lordship, I enclose an extract from my despatch to the Delegate of Police, a copy of which accompanied my despatch of the 25th ultimo to your Lordship; I also enclose a translation of the despatch of the Delegate of Police in reply, and of his instructions to the Sub-Delegate of Tahim, sent therewith.

I should observe, that instead of the bodies of the ten persons who had been wrecked from the "Prince of Wales," and were stated to have been buried, only four were delivered up, and of these three had been found away from the coast, unburied, and completely stripped of their clothes. The retention of six bodies (five of which, including those of two females, and of one called the captain, had been buried in the one place) serves only to augment the very grave suspicions which rest on the inhabitants of the coast, and to justify my measures for a searching investigation into the facts. The ridiculous allegation on which the non-compliance with the orders of the Delegate of Police is based—viz., the place of burial not being discovered, in consequence of the changes in the territorial appearance of the locality, is wholly untenable.

On the 25th ultimo the four bodies which had been delivered up were buried in the cemetery for Protestants of this city; the funeral was attended by a large number of the British residents, and the ceremony made as imposing as could be done consistently with economy. I have paid the expenses.

In conclusion, I have to observe that the course I adopted seems to have met the sanction of all Christians in this place, causing a sensation in the locality of the wreck, but, I believe, producing a wholesome effect, and, in the event of similar disasters recurring, the residents will at least understand that crimes will not be allowed to pass unperceived, and may be induced to pay greater respect to those who suffer the misfortune of being driven upon these shores.

Although the wilful delays of conveying information have caused considerable difficulties in this case, I shall not relax my efforts to discover the truth.

I have, &c.  
(Signed) H. P. VEREKER.

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## Enclosure 1 in No. 2.

*Consul Vereker to Senhor de Bitancourt.*

Rio Grande do Sul, June 18, 1861, at night

SIR,

Having ascertained by a visit to the coast of Albardao, to the place where the British barque "Prince of Wales" was wrecked, whence I returned this day, that the bodies of ten persons (eight men, one woman, and one girl), who had been conveyed in that barque, have been found on the shore and there put into the sands, I have to request that you will order that the said bodies may be conveyed to a cemetery of this city, to be there decently buried, and that an official inquest should take place on the said bodies as soon as they should be conveyed here, in order to ascertain whether those persons died by natural causes, accident, or violence. The urgent necessity of having an immediate inquest held, I have already had the honour verbally to point out to you.

I would also request you to inform me when the bodies of those British subjects arrive, and of the time of the inquest, in order that I may be present. You will no doubt, direct that clothes or any other articles found adjoining or near to the deceased, may be conveyed at the same time, with a note as to how they were found.

Feeling full confidence that you will act in this matter with zeal and discretion, I avail myself, &c.

(Signed) H. P. VEREKER.

## Enclosure 2 in No. 2.

*Senhor de Bitancourt to Senhor Goncalves.*

(Translation.)

Delegacy of Police of the District, June 19, 1861.

SIR,

The English Consul having required by a despatch of this day, that the bodies of those who formed the crew of the barque "Prince of Wales," and are buried on the shore, should be disinterred, you will with all urgency proceed to this duty, ordering here the bodies with the same clothes



with which they were buried, contracting for this purpose means of conveyance, which will be here paid by the respective Consul. I avail myself of the occasion to recommend you to employ all energy in order that an account may be taken of the goods of said barque, which with so much scandal were robbed by some residents of that district, pointing out at the same time who were the authors of so heinous a crime; and they being known, you will cause them to be arrested, that they may be processed and punished, in order that these degenerate Brazilians may not stain the good name of the country in the eyes of the stranger.

God preserve, &c.

(Signed)

ANTONIO ESTEVAO DE BITANCOURT E SILVA.

### Enclosure 3 in No. 2.

*Consul Vereker to Senhor de Bitancourt.*

Rio Grande do Sul, June 20, 1861.

(Extract.)

I shall now refer to the deaths of the crew and passengers whose bodies have been found, viz., eight men, a lady, and a girl; and without drawing any conclusion on the subject, it becomes my painful duty to place the facts before you, as I myself saw them, and to request that the most energetic steps, without distinction of persons, may be taken to discover the truth. I have stated that the long-boat and the greater part of the cargo and appurtenances of the barque were found in nearly the same spot, also the seamen's and captain's chests. The long-boat was broken at the prow apparently from striking on the sands; the gig in a perfect state, and the oars of both were also found there. In the same spot were found many light objects, such as large pieces of cork, feather pillow-cases, &c.; and the trunks, which had been broken open appeared in some instances quite dry inside, showing no signs of damage by sea-water. Now, in view of the position of the hull, which seems to be anchored outside, it is almost certain that some of the crew were not only in the long-boat but in the gig, and, supposing they were drowned it is reasonable to presume



that the bodies would have been washed ashore in the locality where the objects I have mentioned were found. The bodies are, however, stated to have been discovered at a distance of from two to three leagues from the spot, and beyond the point where parts of the cargo were washed ashore.

It is to be observed that the ship's jolly-boat was found on shore at about one league from the central point I have mentioned. It seems probable that the captain, or others of the crew, were in this boat and steering to the northwards, when they got aground. Near this boat it is stated some bodies were found; but how the bodies of those who, as far as can be judged, were conveyed in the long-boat and gig could have reached this point, and even the Rio da Baeta, a place much to the northwards, seems to be a matter worthy of the most serious investigation and consideration; and it is to be noted that ten persons would not be conveyed in the jolly-boat.

Under the circumstances I have detailed, it was manifestly the duty of the Sub-Delegate of Police, Senhor Delfino Francisco Goncalves, to order an immediate inquest on the bodies found, and to have proceeded to the spot to protect the property. It also might have been expected that the Justice of the Peace would have communicated on the 9th the fact of the wreck, and that the Inspector of the district, who states he proceeded to the wreck on the 11th, would on that occasion have sent despatches to the Sub-Delegate of Tahim and to you; nevertheless, it was only on the 14th that an account that a wreck had taken place reached this city, and even the nation to which the vessel belonged was not stated: although it cannot be doubted that on the body of the captain and others there would have been papers to prove the nationality, yet all such proofs seem intentionally to have been kept back; and though the vessel was fitted up with much luxury, and it is evident from the remnants found that persons of independent position were on board, there do not appear watches, money or even a coat or shirt belonging to the captain or passengers.

Viewing the whole circumstances, I regret to come to the conclusion that much of the sad result in this case is attributable to the culpable negligence or connivance of the local authorities, and that information respecting the loss of the barque "Prince of Wales" was intentionally delayed and concealed. I therefore repeat my request that you will adopt every means in your power searchingly to inves-



tigate this painful case, and I hope that you will assist in promoting measures to prevent a repetition of the savage and disgraceful scenes which have marked it, as discreditable alike to the Brazilian authorities and to residents upon this coast.

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Enclosure 4 in No. 2.

*Senhor de Bitancourt to Consul Vereker.*

Delegacy of Police, Rio Grande do Sul,  
June 22, 1861.

(Translation.)

SIR,

Acknowledging the receipt of your despatch of the 20th instant, I have to answer that on the 19th I forwarded the convenient orders to the Sub-Delegate of Police of Tahim, not only that he should disinter the bodies of those wrecked from the barque "Prince of Wales," as well as to inquire respecting all in reference to the wreck of the said barque, as you will see by the said despatch which I send you in copy.

As this Delegacy is not competent to proceed against any persons who were the authors or accomplices of so heinous a crime, but only the Municipal and Commercial Judgeship, to this you ought to apply from this day forth for what may be necessary, being however able to count on the assistance of the police to imprison those who had share in the perpetration of the crime. I proceed to reiterate my orders to the respective Sub-Delegate.

God preserve, &c.,

(Signed)

ANTONIO ESTEVAO DE BITANCOURT E SILVA.

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No. 3.

*Mr. Layard to Consul Vereker.*

Foreign Office, September 5, 1861.

SIR,

I am directed by Lord Russell to acknowledge the receipt of your despatches of the 25th of June and 5th



of July, in which you report the circumstances which attended the wreck of the vessel "Prince of Wales," of Glasgow.

It is evident from your despatches that there has been gross negligence, if not misconduct, on the part of the Brazilian local authorities, and that there is even reason to suspect that the plunder of the cargo and of the effects of the passengers, and even the murder of some of the survivors from the wreck, have been the result of that negligence.

Lord Russell has instructed Her Majesty's Chargé d'Affaires at Rio, to whom you will doubtless have forwarded copies of your despatches on this subject, to lose no time in calling the attention of the Brazilian Government to this case, and to request that a searching inquiry may be instituted with a view to the punishment of the parties convicted of negligence or of being concerned in the plunder of the vessel, and that those who may be convicted of outrages upon those who survived the wreck may be brought to justice.

You will in the meanwhile use your utmost endeavours to procure full information on the subject.

I am, &c.,

(Signed) A. H. LAYARD.

#### No. 4.

*Mr. Layard to the Secretary to the Admiralty.*

Foreign Office, September 6, 1861.

SIR,

I am directed by Lord Russell to state to you that his Lordship has received from Her Majesty's Consul at Rio Grande do Sul an account of the circumstances under which the vessel "Prince of Wales" of Glasgow was wrecked on the coast of Albardao, in Brazil, and from which it appears not only that the local authorities on the coast exhibited gross negligence, if they were not guilty of actual misconduct, but that there are grounds for suspecting that the calamity of the wreck was followed by the plunder of por-



tions of the goods saved from the vessel, and that some of the crew or passengers who may have been saved from the wreck have been unfairly dealt with.

Under these circumstances Lord Russell will by the next mail instruct Her Majesty's Chargé d'Affaires at Rio to request the Brazilian Government to cause a searching investigation to be instituted into all the circumstances of the case, with a view to the punishment of any persons found guilty of such outrages, and Mr. Baillie will also be desired to communicate with the Admiral on the Station in order that, if possible, one of Her Majesty's vessels should proceed to the coast where the wreck occurred, both to assist in the recovery and protection of the property wrecked, and also, if occasion offered, to cooperate in the proposed inquiry.

I am, &c.

(Signed) A. H. LAYARD.

No. 5.

*Earl Russell to Mr. Baillie.*

Foreign Office, September 6, 1861.

SIR,

You will have received from Mr. Consul Vereker an account of the wreck of the vessel "Prince of Wales" of Glasgow on the coast of Albardao, and of the steps taken by him for the recovery of the property saved from the wreck.

It is evident from Mr. Vereker's reports that there has been gross negligence, if not misconduct, on the part of the Brazilian local authorities, and there is even reason to suspect that the plunder of the cargo of the vessel and of the effects of the passengers, and even the murder of some of them who may have survived the wreck of their vessel, have been the result of that negligence.

Should you not have done so already before the receipt of this despatch, you will lose no time in calling the serious attention of the Brazilian Government to this case, and you will request that a strict inquiry may be instituted into the circumstances, and that the parties convicted of such culpable negligence may be suitably punished, and that those who may be convicted of outrage upon the survivors from the wreck may be brought to justice.



You will also communicate with the Admiral commanding Her Majesty's naval forces on the station, as it will be desirable that one of Her Majesty's vessels of war should, if possible, visit the coast where the wreck occurred both to assist in the recovery and protection of the property wrecked, and also, if occasion offered, to cooperate in the inquiry which the Brazilian Government will doubtless institute on your communicating with them on this subject.

I enclose a copy of a despatch which I have addressed to Mr. Consul Vereker regarding this case.\*

I am, &c.

(Signed) RUSSELL.

No. 6.

*Mr. Stephens to Earl Russell.—(Received September 24.)*

Newry, Dundalk, Drogheda, and Dumfries Screw Steam-packet Office, 58, Oswald Street, Glasgow, September 20, 1861.

My Lord,

I beg to bring to your notice the documents received by the Board of Trade from the British Consul at Rio Grande, relative to the loss of my barque "Prince of Wales," and it is with great pain I have come to the conclusion that my captain and his lady, and the whole crew, have been brutally murdered by the Brazilians, after safely escaping shipwreck. I need hardly say to you, my Lord, the heart-rendings this has caused; the widows of the first and second mates with their families have been driven to the poor-house, and I have lost a faithful and invaluable servant who was about seventeen years in my service; he was a quiet and peaceable man, and the voyage before last discharged a cargo at Bahia. He would not think, I am certain, of carrying any weapons of defence with him.

You will also see the cargo and stores have been plundered, and part of the plunder was found in the Justice's house, who, it was plainly seen, aided and protected the plunderers and murderers.



Under the circumstances I am advised the Brazilian government are liable in restitution of the cargo and stores, valued at £5,500 (exclusive of the ship,) and I hope you will not only insist on payment thereof, but also for the sake of humanity insist on the Brazilian authorities exerting themselves to find out and punish the murderers, so that an example may show that the British Government will not allow their subjects to be robbed and murdered, in any country, with impunity.

Britain may be proud of such a man as Consul Vereker. May he meet with the reward he deserves, is the prayer of yours, &c.,

(Signed) R. P. STEPHENS.

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No. 7.

*Mr. Stephens to Earl Russell.—(Received October 1.)*

Newry, Dundalk, Drogheda, and Dumfries Screw Steam-packet Office, 58, Oswald Street, Glasgow, September 23, 1861.

My Lord,

In addition to the claim already sent you for the stores and goods plundered by the Brazilians *ex* the "Prince of Wales," near Rio Grande, I omitted to add my claim for the freight of the goods, which amounted to £1,025, 19s. It will be satisfactory to the relatives of the murdered crew of this ship if you will inform me what steps are taking in this matter.

I remain, &c.

(Signed) R. P. STEPHENS.

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No. 8.

*Mr. Layard to Mr. Stephens.*

Foreign Office, September 26, 1861.

SIR,

I am directed by Earl Russell to acknowledge the receipt of your letter of the 20th instant, stating that you have reason to suppose that the captain of your vessel "Prince of



Wales," his wife, and the whole of the crew, after escaping shipwreck, were murdered by the Brazilians; and I am to state to you, in reply, that Her Majesty's Chargé d'Affaires at Rio de Janeiro was instructed by the last mail to address a strong representation to the Brazilian Government respecting the circumstances attending the loss of your vessel.

I am to add that a copy of your letter will be sent to Her Majesty's Chargé d'Affaires at Rio.

I am, &c.  
(Signed) A. H. LAYARD.

## No. 9.

*Earl Russell to Mr. Baillie.*

Foreign Office, September 26, 1861.

SIR,

With reference to my despatch of the 6th instant, I enclose for your information, copies of two further letters from Mr. Stephens on the subject of his claim against the Brazilian Government on account of the wreck of his barque the "Prince of Wales" on the Brazilian coast.\*

I am, &c.,  
(Signed) RUSSELL.

## No. 10.

*Mr. Layard to Mr. Stephens.*

Foreign Office, October 4, 1861.

SIR,

I am directed by Earl Russell to acknowledge the receipt of your letter of the 23rd ultimo, respecting your claim to receive compensation from the Brazilian Government in the matter of the wreck of your vessel the "Prince of Wales;" and I am to state to you, in reply, that when an answer is

\* Nos. 6 and 7.



received from the Brazilian Government to the representations which Her Majesty's Chargé d'Affaires has been instructed to make, his Lordship will be better enabled to consider what further steps can be taken in this matter.

I am, &c.,  
(Signed) A. H. LAYARD.

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### No. 11.

*Mr. Stephens to Earl Russell.—(Received October 22.)*

Newry, Dundalk, Drogheda, and Dumfries Screw Steam-packet  
Office, 58 Oswald street, Glasgow, October 19, 1861.

MY LORD,

I have just received a despatch from the Marine Department of Privy Council respecting the late ship "Prince of Wales," and regret again being obliged to trouble your Lordship on this subject; but it is evident to me, the delay in holding an inquest is intentional on the part of the Brazilian Government. Will you therefore please direct your Consul to hold one by British residents? Far be it from me to harrow up further the feelings of the relatives of the captain, his wife, and crew of the ill-fated ship, or bring disgrace upon the Brazilian nation by publishing the accounts of the massacre, which I have hitherto refused to do. If, however, my claims are not at once settled, and an additional sum paid as compensation for the murder of the people, which I hereby authorize your Chargé d'Affaires to fix at Rio de Janeiro, and with which I will be content, and will on receiving the same undertake to relieve them from all claims from this country respecting the plunder and murder, and also refrain from publication of the affair. It will then rest with themselves as a matter of conscience whether they are taking the necessary steps to punish the guilty parties.

I may at the same time ask you, my Lord, if you are going to let such a barefaced and wholesale murder and plunder be committed on British property, and allow routine or any cause whatever to defeat justice.

My Lord, I don't think I am asking too much, or more than the exigency of the case requires, that you should at



once send in a man of war, and insist at once on restitution, and no more humbugging on the part of the Brazilian authorities, which in this case has been most disgraceful. I have been sending vessels there this last twenty-five years, and had many acts to complain of, but never for a moment dreamt they would murder a whole crew in order to hide their plunder. It is horrible, horrible. I am sick while writing, and hope I will not again have to trouble your Lordship on this matter.

I remain, &c.,  
(Signed) R. P. STEPHENS.

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### No. 12.

*Mr. Baillie to Earl Russell.*—(Received December 4).

Rio de Janeiro, November 5, 1861.

MY LORD,

In compliance with the instructions contained in your Lordship's despatch of the 6th of September, I communicated to Senhor Taques the circumstances connected with the wreck of the "Prince of Wales," of Glasgow, off the coast of Albardao; requesting that a strict inquiry might be instituted with a view to the punishment of the local authorities convicted of negligence, and that those who committed outrages on the survivors might be brought to justice; and his Excellency has informed me that instructions in that sense would be immediately forwarded to the President of the Province.

I also addressed a despatch to Mr. Consul Vereker, requesting him to give me any further information on the subject which he might have received.

Mr. Vereker states that he has not heard from the President what has been the result of the investigation he ordered immediately after the intelligence of the circumstances connected with the wreck had been communicated to his Excellency.

It appears, however, that an Indian named Mariano has been arrested as implicated in the robberies; he is stated to be an employé of Senhor Bento Venancio Soares, the Justice of the Peace of the district of Albardao, and has been a long



time in jail ; but it is said that no evidence can be obtained against him, the residents on the coast even disobeying the judicial orders to appear as witnesses. Two others, both in the employ of Senhor Soares, are stated to have fled to the Republic of Uruguay. Senhor Soares himself has been examined, but nothing elicited ; and Mr. Vereker informs me that he was not given the opportunity of being present at the examination either of this person or of the Indian Mariano.

It is much to be hoped that the Government will punish some of the local authorities, who have been clearly guilty of the most culpable negligence ; and I have requested the Admiral to send a ship, if possible, to the coast where the wreck occurred, to assist in the recovery of the property wrecked, and to cooperate in the inquiry which will be instituted ; but I much fear that it will be very difficult to convict the real culprits in a country where the administration of justice is extremely faulty, and an acquittal almost invariably granted to those who can pay for it.

I have, &c.,

(Signed) EVAN P. M. BAILLIE.

P.S.—Since writing the above, I have had an opportunity of speaking to Admiral Warren, who has only arrived here from the River Plate within the last few days, and he informs me that he proposes to send two vessels to lie off the coast of Rio Grande, and to instruct an officer to place himself in communication with Mr. Vereker for the purpose of watching the inquiry, and rendering every assistance in his power.

E. P. M. B.

### No. 13.

*Consul Vereker to Earl Russell.*—(Received December 4).

Rio Grande do Sul, October 18, 1861.

MY LORD,

I have the honour to acknowledge the receipt of Mr. Under-Secretary Layard's despatch of the 6th September last, referring to the lamentable proceedings which took place on the occasion of the wreck of the British barque "Prince of Wales," of Glasgow, upon the coast of Albardao in this pro-



vince, the neglect of the local authorities being specially reprehensible.

As soon as I became aware of the events which had taken place in connexion with the wreck, I communicated with his Excellency the President of this province and with the local authorities, urging a searching investigation into the matter; and have now the honour to enclose copies of my despatches to his Excellency Senhor Antao, and translations of his replies. I also enclosed, under flying seal, to Her Majesty's Mission my despatches on the subject addressed to your Lordship and to the Board of Trade, at the same time suggesting that the case appeared to be one in which a representation to the Brazilian Central Government might properly be made with a view to the punishment of the criminals, and the prevention of such proceedings in future.

I have now further forwarded to Her Majesty's Chargé d'Affaires at Rio de Janeiro copies of the principal despatches referring to the wreck, besides giving such additional information as has come to my knowledge.

I have, &c.,

(Signed) H. P. VEREKER.

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Enclosure 1 in No. 13.

*Consul Vereker to Senhor Leao.*

Rio Grande do Sul, June 20, 1861.

The Undersigned, &c., has the honour to lay before his Excellency Senhor Joaquim Antao Fernandes Leao, President of this Province, the translation of a despatch which he has this day forwarded to the Delegate of Police of this district\* in reference to the scandalous proceedings which took place on the coast of Albardao in connexion with the wreck of the British barque "Prince of Wales." The Undersigned invites his Excellency's serious attention to the information conveyed in that despatch, and to the

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\* Enclosure 1 in No. 2.



culpable negligence of the local authorities, and trusts his Excellency will adopt efficient measures in the case.

The Undersigned, &c.,  
(Signed) H. P. VEREKER.

Enclosure 2 in No. 13.

*Senhor Leao to Consul Vereker.*

Palace of the Presidency in Porto Alegre,  
June 27, 1861.

(Translation.)

Acknowledging the receipt of the despatch which the Honourable Henry Prendergast Vereker, Her Britannic Majesty's Consul in the city of Rio Grande, addressed to me, dated 20th instant, in which he enclosed a copy of that he addressed to the Delegate of Police of the district of the same city, detailing criminal acts practised by the inhabitants of Albardao on the occasion of the wreck of the "Prince of Wales," it becomes my duty to signify to the Consul that precautions have been taken to proceed with all the rigour of the laws against the individuals who robbed the objects cast upon the shore; as well as that it may be known whether the persons who formed the crew of that vessel were or not assassinated, as the Consul presumes: certain that proceedings will also be taken against the authorities of Tahim if in effect they omitted immediately to take, as was their duty, the necessary measures to prevent such robberies, being certain that in fit time he will be given the knowledge of the investigations to which, for the present, orders are given to proceed.

I avail, &c.

(Signed)

JOAQUIM ANTAO FERNANDES LEAO.

Enclosure 3 in No. 13.

*Consul Vereker to Senhor Leao.*

Rio Grande do Sul, June 28, 1861.

SIR,

Referring to my note of the 20th instant enclosing the



translation of a despatch I had addressed to the Delegate of Police of this city, respecting the proceedings which had taken place on the coast of Albardao, on the occasion of the wreck of the British barque "Prince of Wales," I have the honour, for your Excellency's information, to enclose a copy of the reply received.\*

Your Excellency will perceive from these papers that the Delegate of Police, though he acted with prompt energy respecting my application to have the bodies of the unfortunate persons who perished brought to the cemetery of this city, now wishes to throw the responsibility of investigating this serious case upon the Municipal Judge, who on his part seems to consider that it is the police authorities who should conduct the investigation. The result of such disputes is that the guilty parties remain unpunished, and are given time to conceal the proofs of their criminality.

I would also observe to your Excellency on the manifest inefficiency of the authorities on the coast of Albardao. Although the orders of the Delegate of Police were positive that the ten bodies which had appeared should be conducted to the cemetery of this city, only four were delivered up and allowed decent burial, and of these three were found in the open plain; yet I had been assured by the Inspector of the District that all had been buried, and that five (including the bodies of two females, and one which appeared to be that of the captain,) had been buried in the one spot. It is therefore indubitable that with proper energy the persons in whose presence or by whom they had been buried, could have been found and compelled to point out the place. The non-delivery of those bodies, coupled with the shameless plunder of the cargo, and the rumours existing of violence having been offered to the crew, is a very suspicious circumstance, and shows at least that in such a case the authorities should not have paused in the performance of their duties, and for the honour of Brazil should have searched out the truth.

I avail, &c.

(Signed) H. P. VEREKER.



Enclosure 4 in No. 13.

*Senhor Leao to Consul Vereker.*

Palace of the Presidency in Porto Alegre,  
July 11, 1861.

(Translation.)

There has been before me the despatch which Mr. H. P. Vereker, Her Britannic Majesty's Consul in the City of Rio Grande addressed to me on the 28th June last, communicating to me that although the Delegate of Police of the district of that same city had comported himself with promptness and energy respecting his request that the bodies of the unfortunate persons wrecked from the barque "Prince of Wales" should be brought to the same city, there only arrived there four, whilst the respective Inspector of the district had asserted to him that the number of those who had been buried was larger, and that accordingly if the necessary diligence had been employed the result would have been different.

Taking into consideration what is stated by the said Consul, I declare to him that on this occasion I reiterate my order to the Chief of the Police in order to proceed with all energy to search into this fact, according as had been ordered.

I avail, &c.

(Signed)

JOAQUIM ANTAO FERNANDES LEO.

No. 14.

*Mr. Stephens to Earl Russell. (Received January 6.)*

58, Oswald Street, Glasgow, January 3, 1862.

MY LORD,

I would take it a great favour if you would direct that I should be advised the reply of the Brazilian Government respecting the barque "Prince of Wales" wrecked on the coast of Brazil, of which the crew were murdered on the 6th June last, by tomorrow's post, as the mail leaves the next week, which gives little time for reply should it be necessary.

I have, &c.

(Signed)

R. P. STEPHENS.



No. 15.

*Mr. Layard to Mr. Stephens.*

Foreign Office, January 6, 1862.

SIR,

In reply to your letter of the 3rd instant I am directed by Lord Russell to inform you that he learns from Her Majesty's Chargé d'Affaires in Brazil that an inquiry is being made on the spot into the circumstances of the wreck of the "Prince of Wales" and the murder of her crew on the Brazilian coast; and I am to add that the result of that inquiry must be awaited before any further steps are taken in the matter, and that you will be informed of that result.

I am, &amp;c.

(Signed) A. H. LAYARD.

No. 16.

*Mr. Stephens to Earl Russell.—(Received January 8.)*

Glasgow, January 7, 1862.

MY LORD;

I have the honour to acknowledge the receipt of your letter of the 6th inst., and beg to inform you that the ship "Prince of Wales," which was lost seven months ago—say, on the 6th of June, 1861—I have ascertained that the captain, his wife, and crew, landed safely with his boats on the Brazilian territory, with his British flag, chronometer, nautical instruments, log-book, clearance, and his British register in his pocket, with provisions, and all other necessities, except fire-arms, or weapons of defence. These were all taken possession of, and the captain and the crew were immediately plundered and murdered, and four of the crew, who escaped about four miles inland, were then murdered and partially plundered, and their nationality, as well as that of the ship, attempted to be destroyed. This was fortunately discovered, after some days, by the British Consul, who also found the captain's Bible, which had been purchased in Glasgow, new, about two months previously, (the name of the captain was on the Bible,) in the house of the Brazilian "Justice of Peace,"



whose residence was three miles distant, and the nearest house to the wreck. Said "Justice of Peace" acknowledged to have taken the Bible from the captain's trunk. Therefore the Brazilian authorities can have no delay or difficulty in ascertaining that the crew of the boats, with all the baggage, luggage, &c., &c., were all landed in perfect order and safety, and that they were all barbarously murdered, in the expectation thereby to enjoy the plunder without question. We need hardly refer your Lordship to the law of this country which compels restitution to be made by the country where the wreck is plundered, and I hope you will now see the necessity to urge upon the Chargé d'Affaires in Brazil to insist upon instant reparation being made for the loss of the lives, as well as the loss of property. Although our own loss of the captain has been very great indeed, the loss of the people depending upon him and the crew for their support is much greater; and as you will observe a very great deal of delay has been already incurred, we hope you will see fit for the credit of the British nation, that the matter should now be promptly settled.

I have, &c.

(Signed)

R. P. STEPHENS.

No. 17.

*Mr. Layard to Mr. Stephens.*

Foreign Office, January 11, 1862.

SIR,

I am directed by Lord Russell to state to you that his Lordship would be glad to receive from you such evidence and information as you can furnish in support of the statement contained in your letter of the 7th instant, to the effect that the captain of the vessel "Prince of Wales," together with his wife and crew of the vessel, landed on Brazilian territory after the wreck of the "Prince of Wales," and were subsequently plundered and murdered by the people of the coast.

I am, &c.

(Signed)

A. H. LAYARD.



No. 18.

*Mr. Stephens to Earl Russell.—(Received January 17.)*

Glasgow, January 15, 1862.

MY LORD,

I am favoured with your letter of 11th instant, and regret the trouble you have had at this time with the matter of the barque "Prince of Wales," but from the state of that portion of the Brazilian territory it will be necessary now to teach them to respect the lives of any shipwrecked crew. I had my information from the captain and crew of the schooner "Hound," wrecked in the same gale, near the town of Rio Grande, who saw five of the bodies with knife-cuts and other wounds, and some of them with their heads battered, their clothes rent, and evidence of violent struggles. Three or four had got away a mile or two inland, but were overtaken and killed. This is confirmed by the despatches of the Consul to the Board of Trade, which will satisfy you they all landed safely, with their whole baggage, &c., &c.; not even the paper of their trunk linings wet. If you think it would be necessary, to enable you to understand the matter more clearly, I would gladly go to London any day after this week you could spare time to go into this matter.

I am, &amp;c.

\* (Signed)

R. P. STEPHENS.

No. 19.

*Consul Vereker to Earl Russell.—(Received February 3, 1861.)*

Rio Grande do Sul, December 14, 1861.

MY LORD,

Referring to my despatch of the 18th October last, and previous ones, regarding the scandalous proceedings which took place on the coast of this province upon the occasion of the wreck of the barque "Prince of Wales," of Glasgow, I have the honour to enclose translations of further correspondence upon this matter which has taken place between this Consulate and the Presidency of this province.

After the receipt of Mr. Under-Secretary Layard's despatch of the 6th September last, I addressed to his Excellency the



Acting President, my despatch of the 27th of November last, of which I enclose a copy, requesting to know the result of the investigations ordered: the President in his reply of the 1st. instant states that he has not received the required informations, but has again demanded them, and will communicate to me the result. Subsequently his Excellency Senhor Correa da Camara, by despatch dated 10th instant, conveys to me the information he has collected, which appears by a despatch from the Chief of Police of the province to his Excellency, a despatch from the Delegate of Police of this city to the Chief of Police; and a further despatch from the Chief of Police to the Delegate of Police of Rio Grande.

Translations of those despatches are enclosed; the most notable are those from the Delegate of Police of this city to the Chief of Police, and from the last named to the former. The Delegate of Police in his despatch confirms the principal statements made in my previous reports; however, I differ largely from him when he says that the proceedings of the Sub-Delegate of Tahim and of the Inspector of the district cannot be blamed. The former was bound to hold an inquest on the bodies of those that died, and to protect the property—neither of which he did; the latter had to collect such goods as he could in benefit of the Customs, and yet most of the goods which he delivered to me had been taken out of their cases, and there is no real doubt but that those cases were broken by his order, and the goods of least value given up. In making this statement according to my conviction, I feel it right to say I cannot legally prove it; and in the despatch of the Delegate of Police of this city, whom I believe to be an honourable man, anxious to perform his duty, it will be seen that when the authorities of the country cannot obtain proofs of that which is well known, the difficulty with the Representative of another Government will be yet greater.

In conclusion, I would respectfully observe that in my opinion the inquiry instituted into this case has, as far as I am informed of it, been meagre and insufficient; no investigation seems to have been made to ascertain whether any violence had been offered to the crew, and yet this was surely a most serious part of the case: besides it is not shown that active measures were taken to prevent the flight of some engaged in the plunder of the cargo, or to bring to justice those wealthy inhabitants of the coast whom the Delegate of



Police does not hesitate to point to as the principal criminals.

I have, &c.  
(Signed)

H. P. VEREKER.

Enclosure 1 in No. 19.

*Consul Vereker to Senhor da Camara.*

Rio Grande do Sul, November 27, 1861.

SIR,

Her Majesty's Government being desirous to obtain the fullest information respecting the plunder of the cargo and other objects of the British barque "Prince of Wales" wrecked on the coast of Albardao, as mentioned in my despatches to the Presidency of the 20th and 28th June last, and it being specially important to ascertain whether violence was offered to any of the crew, I have the honour to request that your Excellency may be so good as to communicate to this Consulate the results hitherto obtained in consequence of the orders of the Presidency energetically to inquire into this very serious case, and the probability which may exist of discovering and punishing the guilty parties.

I avail, &c.

(Signed)

H. P. VEREKER.

Enclosure 2 in No. 19.

*Senhor da Camara to Consul Vereker.*

Palace of the Presidency in Porto Alegre,  
December 1, 1861.

(Translation).

In possession of the despatch which the Honourable Henry Prendergast Vereker, Her Britannic Majesty's Consul in the city of Rio Grande, addressed to me on the 27th of November last, I have to signify to him that, as my predecessor had ordered that the necessary investigations respecting the facts which had occurred in connexion with the robbery of the cargo and other articles of the British barque "Prince of Wales" should be proceeded with, and as such informations have not yet been received on this occasion, I recommend the Chief of Police to give information of the result of the investigations he was ordered to make; and as quickly as they are given to me I shall bring them to the



knowledge of the same Consul, to whom on this occasion I renew, &c.

(Signed)

PATRICIO CORREA DA CAMARA.

Enclosure 3 in No. 19.

Palace of the Presidency in Porto Alegre,  
December 10, 1861.

(Translation).

In accordance with what I promised in the despatch which, on the 1st instant, I addressed to the Honourable Henry Prendergast Vereker, Her Britannic Majesty's Consul in the city of Rio Grande, I transmit to the same Consul a copy of the despatch of the Chief of Police of this province, dated the 5th of this month, and other papers which accompany it, giving information regarding the state of the process which was ordered to be instituted respecting the robbery of the goods saved from the barque "Prince of Wales."

By the communications referred to the same Consul will recognize that every effort ("diligencia") has been employed to advance the respective process, but have not been successful in view of the causes which the Delegate of Police of the district of the city of Rio Grande points out. In the meantime the Chief of Police again recommends him, notwithstanding that the accused compromised in that robbery have escaped ("tem se evadidos"), that even so he should include them in the process; and that, once condemned, he should send him a certificate of the condemnation, and a note of the characteristic signs of each, in order that they may be followed, besides other measures appearing from his despatch, a copy of which I also send to the Consul mentioned, to whom on this occasion I renew, &c.

(Signed)

PATRICIO CORREA DA CAMARA.

Enclosure 4 in No. 19.

*Senhor Callado to Senhor da Camara.*

Secretary of the Police in Porto Alegre,  
December 5, 1861.

(Translation).

SIR,

The Delegate of Police of the district of Rio Grande, whom on the 3rd of September of this year I ordered to give me information of the state of the process ordered to be insti-



tuted respecting the robbery of the goods saved of the English barque "Prince of Wales," as your Excellency's predecessor had recommended to me by despatch of the 2nd of the same month, gave me the information adjoined by despatch dated the 18th of the said month, pointing out the difficulties with which he contends, and the want of means to conclude as quickly as recommended the process mentioned, showing even the impediments which prevented him from knowing the real culprits, as the persons who were said or suspected to be involved in that robbery had passed to the Oriental State. To that despatch I gave the reply appearing from the copy No. 2, on which, not having to the present date a solution, I proceed again to send a despatch to the authority referred to, requiring a rapid solution of this question, which I shall bring to the knowledge of your Excellency immediately when it comes to my hands.

This is the information which for the present I can give to your Excellency in compliance with your despatches of the 1st and 3rd instant.

(Signed)

DARIO RAFAEL CALLADO.

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Enclosure 5 in No. 19.

*Senhor Garcez to Senhor Callado.*

(Translation).

Rio Grande do Sul, September 18, 1861.

SIR,

Replying to your despatch of the 3rd instant, in which you order me to give information respecting the state in which is the process which was directed to be instituted about the robbery of the goods saved from the English barque "Prince of Wales," it is my duty to assure you that I have adopted every measure, I have done everything possible for the advancement of that process, which it is not possible to advance, seeing that, it being necessary to have the depositions of witnesses to form the accusation against the only culprit who is in jail, this cannot be obtained, because having ordered three times that various persons of the Albardao and neighbourhood should be notified to appear in this city they all refused, they did not appear before the officer of justice, pretending that they were sick; some who may know something have absented themselves to the Oriental State; others who are known to be criminals have permanently fled for



that neighbouring State, so that I have not been able to advance that process, to the injury of the unfortunate person (perhaps the least guilty of all) who is imprisoned without seeing an end to this process, which, with attention to the difficulties with which I contend and the absence of resources for these investigations, &c., &c., I do not know when it will be ended. It results from the inquiries to which the Sub-Delegate of Tahim proceeded, that the prisoner Mariano Pinto brought to his house manufactured goods which he met with on the shore, and that, having them spread out in his house, they were apprehended by the Inspector when he passed there on this investigation; it is not proved that there was violence, or that Mariano Pinto broke open the cases which contained manufactured goods; which were merely met with in his house: in view of this I consult you whether I can concede bail to that prisoner in order that he should be released and thus await the result of this tiresome process. The cargo of the barque was all sacked. Mariano Pinto and Manuel Maria Rodrigues (who fled for the Oriental State) were not the only ones who robbed it; it is known that many of the inhabitants, perhaps the wealthiest of the place, are devoted to this industry, but against these no proofs appear—there will be no witnesses who would depose against them. With regard to the notice of the wreck having been spread on the 9th of June, and its being officially known in this city on the 14th, this cannot be attributed otherwise than to the circumstance that the Inspector resides more than six leagues from the place of the casualty, and the Sub-Delegate of Tahim as much or more, and that those authorities only knew of the wreck after the inhabitants of the more neighbouring parts, interested in concealing it, having robbed almost all, communicated it to them, as has been the custom to practise at other times and in identical circumstances, as I had the occasion of verifying respecting this wreck in which it was only on the 11th day of the month of June that the Inspector, having on the previous evening notice of the wreck, proceeded to the shore, ordering, on that day, to give information to the Sub-Delegate of Tahim, who communicated what had happened respecting the wreck to the Delegate of this city on the 14th. In view that there is no reason to blame either the Inspector or the Sub-Delegate, and that the residents are alone criminal, whom there are no means of prosecuting in consequence of the absolute want of proofs



which only appear against the unfortunate Indian Mariano Pinto, in my idea one of the less guilty because he did not hide the thing robbed, and immediately gave it up to the Inspector who claimed it.

God preserve, &c.  
(Signed) ANTONIO FERREIRA GARCEZ.

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Enclosure 6 in No. 19.

*Senhor Callado to Senhor Garcez.*

Secretaryship of the Police in Porto Alegre,  
September 21, 1861.

(Translation.)

In answer to your despatch dated the 18th instant, respecting the moroseness with which the process instituted against the robbers of the goods saved from the English barque "Prince of Wales" proceeds, I have to point out to you that as that process should terminate, and the reluctance of the witnesses to come before Court cannot serve as a motive to delay it, you should make use of the resources of the law, ordering them to appear under the rod of justice ("debaixo da vara"). It does not matter that the accused most compromised in that robbery have escaped; it befits to include them in the process, and, once condemned, you ought to send me a certificate of the condemnation, and a note of the characteristic signs of each one in order to cause them to be followed. With regard to Mariano Pinto, he can only be bailed if the denouncement was of a crime in which bail is allowed, because in the contrary case he should await the declaration of the sentence, or should use the resource of *habeas corpus* if he were illegally imprisoned.

Finally, if the witnesses should refuse to swear the truth against the wealthy inhabitants of the locality or the wreck who, according to your opinion, are the principal criminals, shown guilty of perjury they ought as such to be processed, it being necessary determinately to show ("determinar") to the Sub-Delegate of Tahim, and to the Inspector of the District, that they should investigate where the articles robbed remain and who detain them, in order that they may be brought to judgment; you informing me of the progress of



the process in order to give an account to the Ministry for Foreign Affairs, which urgently presses ("insta") for the result.

God preserve, &c.  
(Signed) DARIO RAFAEL CALLADO.

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No. 20.

*Mr. Baillie to Earl Russell.—(Received February 3.)*

Rio de Janeiro, January 6, 1862.

MY LORD,

With reference to my despatch of the 5th of November, respecting the wreck of the "Prince of Wales" off the coast of Albardao, in which I stated that I had requested the Admiral Commander-in-chief on this station to send a ship, if possible, to the coast where the wreck occurred, or a naval officer to be present at the inquiries about to be instituted, I have the honour to inform your Lordship that it was deemed advisable by the Admiral, upon further consideration, not to take any steps of that kind before having Mr. Vereker's opinion as to the advantages that would be likely to result from the presence of such an officer and the time when he should arrive at his destination.

I accordingly wrote to Mr. Consul Vereker on the subject, and I have now the honour to enclose his reply, from which your Lordship will see that he does not think that the presence of a British officer would have a beneficial effect, unless the manner of the inquiry were altered in consequence of instructions from the Brazilian Government.

I have, &c.  
(Signed) EVAN P. M. BAILLIE

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Enclosure in No. 20.

*Consul Vereker to Mr. Baillie.*

Rio Grande do Sul, December 2, 1861.

SIR,

In reply to your despatch of the 20th ultimo, I have the honour to state that I do not think that the presence of a



British Naval officer at the inquiry as now conducted, into circumstances attending the wreck of the barque "Prince of Wales," would have beneficial effect; but if the manner of the inquiry were altered in consequence of instructions from the Brazilian Government, it is not unlikely that the presence of such an officer might be advisable. As soon as the nature of the further inquiry now proposed is manifested, I shall have the honour again to communicate with you on the subject of your despatch.

I have, &c.  
(Signed) H. P. VEREKER.

No. 21.

*The Secretary to the Admiralty to Mr. Layard.—(Received February 5.)*

Admiralty, February 4, 1862.

SIR,

With reference to your letter of the 6th of September last, I am commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of Earl Russell, a copy of a letter dated 23rd December last, from Rear-Admiral Warren, respecting the wreck of the "Prince of Wales," of Glasgow, on the coast of Albardao, in Brazil, and stating that there appears to be little doubt that the vessel was plundered and the crew unfairly dealt with:

I am, &c.  
(Signed) W. G. ROMAINE.

Enclosure in No. 21.

*Rear Admiral Warren to the Secretary of the Admiralty.*

"Forte," at Sea, Lat. 27° 56' S., Long. 46° 37' W.,  
December 23, 1861.

MY LORD,

With reference to your letter of the 7th September, 1861, enclosing the copy of a letter from Her Majesty's Under-Secretary of State for Foreign Affairs, respecting the wreck of the merchant vessel "Prince of Wales," of Glasgow,



on the coast of Albardao in Brazil, and desiring me to put myself in communication with Mr. Baillie, Her Majesty's Chargé d'Affaires at Rio, on the subject; I have now the honour to acquaint you, for their Lordships' information, that having communicated with Mr. Baillie, and received from him the details forwarded by Mr. Vereker, the Consul at Rio Grande de Sul, on the subject of the wreck of the "Prince of Wales," there appears to be little doubt that the vessel was plundered, and the crew unfairly dealt with.

2. Having no vessel of sufficiently light draught to cross the bar at the Rio Grande, I offered to send an officer to assist at the investigation, if it was thought he could be of service. Mr. Baillie has since acquainted me that Mr. Vereker is of opinion that in the present state of the inquiry it is not necessary. I have consequently given up the intention, but when I can command the services of a vessel of war that can pass the bar of Rio Grande with safety, I shall send her to communicate with Her Majesty's Consul there.

I have, &c.

(Signed) RICHD. L. WARREN.

No. 22.

*Earl Russell to Mr. Baillie.*

Foreign Office, February 8, 1862.

SIR,

You will have received from Mr. Consul Vereker a copy of his despatch to me of the 14th of December, reporting the result of his correspondence with the Provincial authorities regarding the case of the wreck of the vessel "Prince of Wales."

I cannot consider the explanations which have been given by the Brazilian authorities in this matter as being satisfactory, and I concur in the opinion which Mr. Vereker has expressed as to the culpability of the authorities of the district, and as to the insufficiency of the inquiry instituted, considering the serious nature of the case. Under these circumstances I have to refer you to the instructions conveyed in my despatch of the 6th of September last, and to desire you to state



to the Brazilian Government that Her Majesty's Government expect that a more searching investigation shall be instituted, with a view to the punishment of the parties actually concerned in the outrage, and of the local authorities who may be convicted of negligence in dealing with the case, as also with a view to adequate compensation to the owners of the vessel, whose property, by the admission of the Brazilian authorities themselves, has been plundered or wantonly destroyed, and to the surviving relatives of those who may be proved to have been murdered.

I am, &c.  
(Signed) RUSSELL.

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No. 23.

*Consul Vereker to Earl Russell.—Received March 5, 1862.*

Rio Grande do Sul, December 31, 1861.

(Extract.)

With regard to that part of my account current with the Lords Commissioners of Her Majesty's Treasury which refers to expenses incurred for the discovery of the bodies of those persons who were wrecked from the barque "Prince of Wales," and for the inquests upon and burial of the same bodies, I would respectfully observe that in my despatch of the 5th of July last I applied for special authority in regard to those expenses, as it did not appear that they could properly be chargeable to the Board of Trade, not only from the peculiar character of the case, but from the absence of proof that those buried were seamen; and from the salvage of the vessel the balance was trifling.

I may be permitted to observe that, as the expenses referred to were caused by the neglect of the Brazilian authorities to hold the required inquests, and to provide for the proper burial of those wrecked, it is probable that those expenses might justly be claimed from the Brazilian Government.

Under those circumstances I have the honour again to request your Lordship's approval of the expenses as shown by the account and incurred by me in this serious case.

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No. 24.

*Earl Russell to Mr. Christie.*

Foreign Office, March 14, 1862.

SIR,

I enclose an extract of a despatch from Mr. Consul Vereker\* respecting the expenses which he has incurred in connexion with the inquests held on the bodies of the crew of the "Prince of Wales," which, as appears from the account, amount to £32 2s. 1d.

It seems to me that the Brazilian Government ought properly to repay this money, and, if you are of the same opinion, you will bring the matter before them.

I am, &amp;c.

(Signed)

RUSSELL.

No. 25.

*Consul Vereker to Earl Russell.—(Received June 3.)*

Rio Grande do Sul, March 20th, 1862.

MY LORD,

I have the honour to enclose the copy of a despatch received from his Excellency the Acting President of this Province, transmitting copies of despatches from the Chief of Police and from the Municipal Judge and Delegate of Police of this city, in reference to the plunder of the cargo of the barque "Prince of Wales."

These papers throw but little additional light on the subject, but the despatch of the Delegate of Police seems to point to a combination or understanding among the inhabitants of the coast not to give information in the case, which course, far from implying their innocence, seems rather to designate mutual guilt.

I have taken the liberty to delay the transmission of these papers, as I was anxious to forward at the same time copies



of the reports of inquest held on the coast of Albardao and at the cemetery of this city upon the bodies of those wrecked ; but notwithstanding all my efforts, I have not yet been able to obtain from the Brazilian authorities copies of those reports.

In the report of the examination of the bodies on the coast, among other allegations not creditable to the local residents, it is stated by those appointed to examine the body of one of the unfortunate persons from the wreck that he was strangled. Such statements may account for the unwillingness of the authorities to give the required information, and possibly for the limited nature of the inquiry instituted, as there seems to exist a fear that under a more searching investigation disclosures might be made which would throw discredit on the country.

If this is so (I put the suggestion forward only hypothetically,) it shows on the part of the local authorities either a culpable sympathy with evil-doers, or a want of moral courage which is highly reprehensible.

I have, &c.

(Signed). H. P. VEREKER.

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Enclosure 1 in No. 25.

*Senhor da Camara to Consul Vereker.*

Palace of the Presidency in Porto Alegre,  
December 28, 1861.

(Translation.)

In addition to the despatch which on the 10th instant I addressed to the Honourable H. P. Vereker, Her Britannic Majesty's Consul in the city of Rio Grande, I transmit to him on this occasion a copy of the despatch which I have just received from the Chief of Police of this province, dated the 27th of this same month, accompanied by another of the Delegate of Police of that city, giving an account of the difficulties he has met with in concluding the process instituted against the robbers of the goods saved from the barque "Prince of Wales," and of its present state.

I avail, &c.

(Signed) PATRICIO CORREA DA CAMARA.

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## Enclosure 2 in No. 25.

*Senhor Callado to Senhor da Camara.*Secretaryship of Police in Porto Alegre,  
December 29, 1861.

(Translation.)

SIR,

In execution of your Excellency's despatches of the 1st and 3rd instant, I pass to your hands the enclosed copy of the despatch of the Municipal Judge and Delegate of Police of the district of Rio Grande, dated the 19th of this month, giving an account of the difficulties he has met with in concluding the process instituted against the robbers of the goods saved from the English barque "Prince of Wales;" it being my duty to intimate to your Excellency that at this date I give new orders to the authority referred to that he should make the process to take its course against the accused, who are vagabonds; having, nevertheless, to consider that the local conditions impede the regular administration of justice, inasmuch as the wreck of that barque took place on a desert and inhospitable shore, with easy transit to foreign territory.

God preserve, &amp;c.

(Signed)

DARIO RAFAEL CALLADO.

## Enclosure 3 in No. 25.

*Senhor Garcez to Senhor Callado.*

City of Rio Grande, December 19, 1861.

(Translation.)

SIR,

Answering your despatch dated the 5th instant, in which you order me to declare as soon as possible the result of the process instituted against the robbers of the goods saved from the English barque "Prince of Wales," it is my duty to declare to you that all the investigations to know who had been the robbers of those goods having been unfruitful, and one on whom rested suspicions having succeeded in escaping



to the Oriental State, and another, Manoel Maria Rodriguez, who was met with having articles of those goods saved, and who immediately fled without it being possible to succeed in taking him, I instituted the process against one only, Mariano Pinto, native of Buenos Ayres, who also was found with articles in his house. The difficulty of making the witnesses residing on the coast of Albardao to come to this city, it being necessary for me, in order to advance with the process, to notify some of those residents who perchance might appear in the city; the repugnance which these residents have to appear before judicial authority; the fear of being reckoned as accomplices in that robbery of the goods saved from the barque; the want of resources forcibly to make them come to give evidence,—all this delayed Mariano Pinto's process to this day, and barely now has it come to an end. And in view of what I have exposed to you, you will know what is the result of the process instituted against the robbers of the goods saved from the English barque "Prince of Wales." All the criminals remaining summed up in Mariano Pinto, the only one who could be processed; and on this occasion it is my duty to declare to you that I used every diligence to know of some other persons who may have robbed the cargo of the English barque; but all was unsuccessful: it resulting thence that the real robbers will remain perhaps unpunished, without justice having means to discover and process them.

God preserve, &c.

(Signed) ANTONIO FERREIRA GARCEZ,  
Municipal Judge, First Substitute of the Delegate.

No. 26.

*Consul Vereker to Earl Russell.—(Received June 3.)*

Rio Grande do Sul, April 14, 1862

MY LORD,

I have the honour to submit the following observations, showing my proceedings to this day in connexion with the arrival at this port of Her Majesty's gunboat "Sheldrake," conveying on board Captain Saumarez, of Her Majesty's



frigate "Forte," who had been nominated to cooperate with me in regard to any inquiry which the Brazilian authorities might, on a renewed demand, institute into the circumstances attending the wreck of the British barque "Prince of Wales."

The gunboat "Sheldrake," arrived in this port on the 31st instant, and Captain Saumarez communicated the object of his coming, of which I had, on the 29th ultimo, received information by Mr. Christie's despatch of the 18th ultimo, of which a copy is enclosed.

I suggested to Captain Saumarez that the only effective inquiry which could now be adopted would be one conducted at the locality of the wreck, superintended by a Brazilian functionary of sufficient authority, and accompanied by a sufficient force to command respect; and that it would be advisable to request his Excellency the President, Senhor Francisco de Assis Pereira Rocha, to order such an enquiry as soon as possible. I also pointed out that there was no authority at Rio Grande who would act in the matter without previously receiving instructions from the Presidency. Captain Saumarez quite concurred in these views, and offered to accompany me to the coast to assist in such an inquiry should it be instituted.

As there was no opportunity at the time to send despatches by the ordinary conveyances to the capital, Porto Alegre, where the President resides, and the sending by express overland would be uncertain and might cause delay, it was determined to proceed in the "Sheldrake" to Porto Alegre, so that Captain Saumarez and myself might personally call the President's attention to the pending question, under circumstances apparently the best calculated to ensure compliance with the request for a full and searching inquiry into this case.

The "Sheldrake," on board of which I had embarked, left this port on the 4th instant, and reached Porto Alegre on the 6th. I immediately addressed to his Excellency the President my note of that date, requesting him to name a time to receive Captain Saumarez and myself. I enclose a copy of this note, and received in reply his Excellency's courteous letter of the same date. It will be perceived that he makes therein no mention of receiving Captain Saumarez.

Notwithstanding the apparent inadvertency above mentioned, it seemed important that Captain Saumarez should be



recognised by the authorities of this country as holding a special position in connexion with the investigation contemplated, as the proceedings might thus have more impressiveness and authority. It will accordingly be seen that in the interviews which took place on the 6th and 7th instant, this question formed part of the subject-matter of the conversation, of which I enclose memoranda.

At the first interview his Excellency Senhor Rocha intimated that he had received no information since taking charge of the Presidency upon the case of the barque "Prince of Wales," and that no communication had reached him from the Brazilian Government respecting the service on which Captain Saumarez was engaged. When the urgency of an investigation in the locality of the wreck was pointed out to his Excellency, he seemed unwilling to express an opinion at the time; and in order that there should be no appearance of pressure, I suggested that Captain Saumarez and myself would wait upon him when his Excellency should have had leisure to inform himself fully on the case, and this course was agreed upon.

At the interview on the 7th instant his Excellency, having apparently become better informed of the circumstances, declared in effect that he would direct the Chief of Police to undertake a searching inquiry into the case, but that Captain Saumarez could not be recognized as having any connexion therewith in an official capacity.

I caused the memoranda (Nos. 5 and 6) to be read over both to his Excellency the President and to Captain Saumarez, and subsequently supplied them with copies; and both parties declared that they formed a correct summary of the conversations referred to.

Subsequently to the interview above reported, the Secretary to the Provincial Government, who was present throughout, informed me that it had been ordered that a Brazilian steamer should be ready to go to Pelotas, where the Chief was at the time, to convey the necessary instructions in the case; and on the following morning (8th instant) his Excellency the President stated to me that the Chief of Police would be directed to come to an understanding ("entender-se") with me before entering upon the required inquiry, in order that I might have an opportunity of attending the same.

On the 8th instant his Excellency Senhar Rocha courteously returned (on board Her Majesty's gunboat "Sheldrake")



the official visits which Captain Saumarez and myself had paid them.

I have the honour to enclose the copy of a despatch dated the 8th instant, which I received from Captain Saumarez, requesting to know whether, under the circumstances which had occurred, I considered his services would be further needful. I also enclose a copy of my reply, intimating that if Captain Saumarez considered that he could, consistently with his instructions, accompany me to the locality of the wreck to cooperate in the promised inquiry, even though he were not recognised in an official capacity by the Brazilian authorities, I hoped he would await for a limited time to ascertain the decision of those authorities. Captain Saumarez replied verbally that he did not consider himself precluded from accompanying me in the manner suggested. Accordingly I felt it right to inform his Excellency the President of this circumstance, in order that there might be no delay in commencing the inquiry. I beg to enclose a copy of my despatch to his Excellency.

Her Majesty's gunboat "Sheldrake" returned to this port on the 9th instant. On the 10th instant the Chief of Police arrived in this city. I visited him, and he returned the compliment; but as I did not meet him there was no opportunity of discovering whether he had received any instructions from the Presidency, regarding the case of the barque "Prince of Wales." It may, however, be presumed that he had not, as he proceeded to Porto Alegre on the 11th instant, and no steamer had been despatched thence to Pelotas, as was expected.

I have the honour to observe that, throughout the occurrences reported, both Captain Saumarez and myself have maintained the utmost reserve regarding the object of his visit. I regret, however, to state that rumours that it is in connexion with the case of the barque "Prince of Wales" have reached this city from Porto Alegre, and have been published. I therefore fear, especially in view of the delay which is taking place, that the persons implicated will have the opportunity to conceal many vestiges of their scandalous and inhuman proceedings on the occasion of the wreck.

I feel it right to remark, that I have received much assistance from Captain Saumarez, who has been acting in perfect harmony with me, showing a desire to adopt the various suggestions which I have thought it my duty to propose, in order that



no effort may be omitted to discover the truth regarding the painful questions which have rendered his presence here advisable.

I have, &c.,  
(Signed) H. P. VEREKER.

Enclosure 1 in No. 26.

*Captain Saumarez to Consul Vereker.*

"Sheldrake," Rio Grande do Sul, April 3, 1862.

SIR,

Having this day arrived in Her Majesty's gunboat "Sheldrake," with instructions to cooperate with you in the inquiry relative to the wreck of the British barque "Prince of Wales," and the English Minister at Rio having informed the Brazilian Government that an officer would be sent round here for that purpose, I have the honour to request you will be pleased to inform the authorities of my arrival for the above purpose, and you may depend on my affording you every assistance and most cordially cooperating with you.

I have, &c.,  
(Signed) T. SAUMAREZ.

Enclosure 2 in No. 26.

*Mr. Christie to Consul Vereker.*

Petropolis, March 18, 1862.

SIR,

I enclose you a copy of a despatch which has been received from Earl Russell on the subject of the wreck of the "Prince of Wales." I have addressed a note, in accordance with its contents, to the Brazilian Minister for Foreign Affairs; and I have requested Admiral Warren to send one of the gunboats now under his command to Rio Grande do Sul, with an officer capable of giving you useful aid. I have informed the Brazilian Government of my request to Admiral Warren, and have stated that the naval officer who may be sent will, according to the wish of Her Majesty's Government, be ready



to cooperate in any inquiry which may be instituted, if the Brazilian Government should wish it.

I am, &c.,  
(Signed) W. D. CHRISTIE.

Enclosure 3 in No. 26.

*Consul Vereker to Senhor Rocha.*

Porto Alegre, April 6, 1862.

The Undersigned the Honourable Henry Prendergast Vereker, Doctor of Laws, Her Britannic Majesty's Consul at Rio Grande do Sul, has the honour to inform his Excellency Senhor Desembargador Francisco de Assis Pereira Rocha, President of the Province of Rio Grande do Sul, that Captain Saumarez, of Her Majesty's frigate "Forte," of 51 guns, has arrived in this port in Her Majesty's gunboat "Sheldrake," on special service, and desires to be received by your Excellency. The Undersigned also desires to pay his respects to your Excellency. Under these circumstances, the Undersigned requests your Excellency will please to appoint an hour to receive Captain Saumarez and the Undersigned, and that this may be at your Excellency's earliest convenience.

(Signed) H. P. VEREKER.  
The Undersigned, &c.

Enclosure 4 in No. 26.

*Senhor Rocha to Consul Vereker.*

Palace of the Presidency in Porto Alegre,  
April, 6, 1862.

(Translation.)

MR. CONSUL,

Acknowledging the receipt of your despatch of this day, I have to answer to you that, with the greatest satisfaction, I will receive you to-day at 4 o'clock in the evening, or to-morrow at any hour which may be most convenient to you.

(Signed) I avail, &c.,  
FRANCISCO DE ASSIS PEREIRA ROCHA.



## Enclosure 5 in No. 26.

*Memorandum of a Conversation which took place on the 6th of April, 1862, between Senhor Rocha, Captain Saumarez, and Consul Vereker.*

Captain Saumarez suggested that it had been communicated by the British Mission to the Brazilian Government that an officer would be sent down here to assist in an inquiry, and wished to know whether the President had received any information on the subject.

The President replied, that since his arrival he had received none.

The Consul observed that the communication suggested should probably have reached by one of the last two mails from the Brazilian Minister for Foreign Affairs, or of the "Empire."

The President repeated that he had received no communication such as that referred to.

The Consul perceiving that there were various persons at the door within hearing pointed out that the conversation ought to be carried on in a more private manner; and the President agreeing, conducted him, as well as Captain Saumarez and Dr. Mello Mattos, into an inner room.

Captain Saumarez, before explaining the object of his visit, hinted to the President an inquiry as to whether he desired Dr. Mello Mattos, the only other person present, to remain; and as his Excellency offered no objection, Dr. Mattos remained.

The Consul then, at Captain Saumarez's request, proceeded to explain the object of that officer's arrival, in connexion with the circumstances attending the wreck of the British barque "Prince of Wales," and stated the readiness of Captain Saumarez to assist in any measures which the President might adopt thoroughly to investigate the case.

The President replied that his attention had not previously been called to the case, and that he was not informed of the particulars; and after more conversation on the same theme, the Consul, for his Excellency's information, gave a brief summary of the proceedings which had taken place up to the present time, remarking that the former proposed inquiry into



the cause of the deaths of the crew and the plunder of the cargo had resolved itself into a mere prosecution of Mariano Pinto and Francisco Maria Rodriguez; that no efficient investigation into the cause of the deaths of the crew had taken place; that five of the bodies of those persons had not been delivered up, on the false pretext that the place where they were said to be buried could not be found in consequence of territorial changes; and that no part of the cargo had been recovered excepting the insignificant portion delivered by Faustino José da Silveria. Finally, the Consul manifested his own opinion that an inquiry, to be really effective, should take place at the locality under some independent authority, with a force sufficient to impose respect; and under those circumstances he requested to know the President's determination in the case.

The President appeared to desire to consider the question more fully; and as his Excellency had other pressing engagements, the Consul suggested that if his Excellency so wished, he would wait upon his Excellency at another time; and that there were also other matters, unconnected with this case, to which he wished to call the attention of the Head of the Provisional Government.

His Excellency replied that a postponement would be convenient, Dr. Callado, the Chief of Police, having lately returned to Pelotas; and he appointed at 11 o'clock A.M. on the following day to receive Captain Saumarez and Her Britannic Majesty's Consul, in order to communicate his resolution in the case.

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Enclosure 6 in No. 26.

*Memorandum of a Conversation held on the 7th of April, 1862,  
between Senhor Rocha, Captain Saumarez, and Consul  
Vereker.*

The Consul, acting with and interpreting for Captain Saumarez, requested to know from the President whether he had formed any decision respecting the inquiry proposed the previous day into the circumstances attending the wreck of the "Prince of Wales."

The President replied that he was now more informed of the case, and that he was ready to order a full investigation



by the Chief of Police, who was now at Pelotas; that he considered the most important inquiry would be into the manner of death of the crew, but that it would be difficult to find proofs in consequence of the time that had elapsed.

Captain Saumarez asked whether there was any doubt as to the plunder of the cargo, and the President and the Secretary of Government, who was present, replied that there was not.

The President proceeded to say that although no objection could be made to Mr. Vereker the Consul assisting in the inquiry, Captain Saumarez could not be recognized as holding an official capacity in the matter.

The Consul pointed out the circumstances under which Captain Saumarez had arrived, and expressed a doubt as to whether he (the Consul) should properly proceed to the coast to assist in the inquiry unless with Captain Saumarez recognized in his official capacity; and the Consul further observed that he had presented Captain Saumarez officially, and that he had confirmed the statement that a communication showing his object here had been made on the part of the British Mission to the Brazilian Government.

The President repeated that he had received no communication on the subject from the Brazilian Government, and that until he received orders from them he could not recognize Captain Saumarez as having authority to act officially in the Province.

Captain Saumarez said he did not wish to perform authoritative acts, but to assist and be present.

The President added that he recognized Captain Saumarez as an officer, but not as having connexion with the investigation proposed, but that he would be ready to wait for the instructions which he might receive on the matter from the Brazilian Government.

The Consul, in conclusion, observed that it would rest wholly in his Excellency's discretion whether he would order an immediate inquiry or wait for the instructions referred to, and he pointed out the probability that if there were any delay the inhabitants of the coast would be forewarned, and would consequently defeat the object of the inquiry.

The conversation then turned to other matters.

Before separating, his Excellency the President stated that there would be no objection to Captain Saumarez attending the inquiry proposed and obtaining all possible information,



but that he could not be recognized as possessing any official capacity in regard to the said investigation unless the Brazilian Government should so determine.

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Enclosure 7 in No. 26.

*Captain Saumarez to Consul Vereker.*

"Sheldrake," Porto Alegre, April 8, 1862.

SIR,

After the conversations with his Excellency the President, in which he assures us that he will order a strict and searching inquiry into the loss and plunder of the British barque "Prince of Wales," in which he admits there is not the slightest shadow of doubt that the cargo was plundered by Brazilian subjects in this Province, and that the Chief of Police will be ordered to ascertain the causes of the deaths of the captain, his wife, and crew, and his Excellency stating he cannot recognize me in any official capacity in such inquiry, but that he would not object to my being present, it now remains with you to inform me if you have further need of my services, or if I can in any way further cooperate in any inquiry which may be instituted.

I have, &c.,

(Signed)

T. SAUMAREZ.

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Enclosure 8 in No. 26.

*Consul Vereker to Captain Saumarez.*

"Sheldrake," Porto Alegre, April 8, 1862.

SIR,

I have the honour to acknowledge the receipt of your despatch dated this day, in which you request me to inform you whether your services are further required in connexion with the inquiry which his Excellency the President of this Province has stated he would immediately order the Chief of



Police to conduct respecting the wreck of the barque "Prince of Wales."

In reply, I have to inform you that his Excellency Senhor Pereira Rocha, the President, declared to me that he would direct the Chief of Police, in the first instance, to come to an understanding with me regarding the inquiry to be instituted. It seems probable that any inquiry now attempted would take place at the locality of the wreck, and in the event of your considering that you could, consistently with your instructions and official position, attend such an investigation, notwithstanding your not being recognized by the Brazilian authorities as having any official capacity in connexion therewith, I am of opinion it would be beneficial that you should do so; as the presence of a British naval officer of your rank could not fail to exercise an useful influence, and as I would probably assist in an investigation carried on in your presence, your cooperating with me on the occasion would no doubt strengthen my means of discovering the truth.

Under these circumstances, I would trust that you will await the communication which, in compliance with orders from the Presidency, may be made to the British Consulate; provided there should be no excessive procrastination on the part of the Brazilian authorities in communicating to this Consulate their intentions regarding the proposed inquiry.

I have, &c.,

(Signed) H. P. VEREKER.

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Enclosure 9 in No. 26.

*Consul Vereker to Senhor Rocha.*

"Sheldrake," Porto Alegre, April 8, 1862.

SIR,

I feel it right to transmit to your Excellency a copy of the memorandum I had drawn out respecting the conversations which Captain Saumarez, R.N., and myself had the honour to hold with your Excellency on the 6th and 7th instant, the memorandum having been already read over to your Excellency and found correct.

Subsequently to the interviews referred to, as your Excel-



lency expressed readiness to direct the Chief of Police to institute the proposed inquiry without delay, and previously to come to an understanding with this Consulate on the subject, I requested to know from Captain Saumarez whether under his instructions he could accompany me on that inquiry, though not recognized by the Brazilian authorities as possessing any official capacity in connexion therewith; and it appears that he can do so.

I have the honour to inform your Excellency of this circumstance, as I should desire, with Captain Saumarez, to accompany the Chief of Police.

I have, &c.,  
(Signed) H. P. VEREKER.

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No. 27.

*Mr. Christie to Earl Russell.—(Received June 3.)*

Rio de Janeiro, May 5, 1862.

MY LORD,

I acted on the instructions contained in your Lordship's despatch of the 8th of February, addressed to Mr. Baillie, by writing a note to Senhor Taquès, of which I enclose a copy, stating that Her Majesty's Government expected that a more searching investigation should be made by the Brazilian Government into the circumstances attending the wreck of the "Prince of Wales" off the coast of Rio Grande do Sul in June of last year, with a view to the punishment of the offenders and of any local authorities convicted of negligence, and also with a view to suitable indemnities.

I also addressed a letter to the Admiral who commands on this station, requesting him to send a gunboat to Rio Grande do Sul, and with it an officer of sufficient rank and experience to give effective aid to Mr. Consul Vereker. And your Lordship will perceive that in the enclosed note to Senhor Taquès I mentioned that I had made this request of the Admiral, and I offered the services of the naval officer whom he might send for cooperation, if the Brazilian Government would accept it, in the further inquiry which I demanded.



Admiral Warren, without delay, sent Her Majesty's gunboat "Sheldrake" to Rio Grande do Sul, accompanied by Her Majesty's ship "Oberon," carrying his Flag-Captain, Captain Saumarez, to consult and cooperate with Mr. Consul Vereker.

I received by this packet a despatch dated April 14 from Mr. Consul Vereker to your Lordship, reporting his proceedings subsequent to the arrival of Captain Saumarez, and your Lordship will see that the President of the Province had promised to order an inquiry; that he had, in the absence of instructions from Rio, declined to admit Captain Saumarez to cooperate, but that he had made no opposition to his presence with Mr. Consul Vereker at the inquiry to be made. It appeared likely that Captain Saumarez would prolong his stay in order to accompany Mr. Consul Vereker, unofficially, in attendance at the promised inquiry, and it is to be hoped that he has stayed.

I have now received from Senhor Taques a note, of which I enclose a translation, stating that fresh orders have been sent by the President of the Province for further information, and requiring him to proceed with the utmost severity against persons proved to be implicated in the serious offences charged, and against agents of the public authority who have not acted with proper zeal, diligence, and discretion. In this note Senhor Taques declines the offer of the aid of a British naval officer for inquiry.

Before announcing to me the fresh orders given, Senhor Taques states in his note that "not only is the Imperial Government free from responsibility for the acts ascribed to the inhabitants of the coast of Albardao, accused of having plundered the wreck of the 'Prince of Wales,' but also the local authorities did their duty as far as was permitted by the distances and other difficulties in the way of their acting more promptly and effectively." This is a complete exoneration of the Brazilian Government and its agents, and the charges of murder are set aside with the remark that no proof, or even substantial ground of suspicion, of murder has been elicited.

It is, however, admitted in the same note that there has been a want of evidence owing not only to the flight of some individuals to Montevidean territory, but also to the absence of others who were still in Brazil. Why was the presence of these not enforced?

Senhor Taques makes a distinction between a public



authority and "a mere agent of authority." I do not know whether your Lordship will find anything in this distinction affecting the responsibility of the Brazilian Government.

The note makes no allusion to the question of indemnities, or it is, indeed, to be understood as refusing to entertain that part of the question.

I indicate to your Lordship these doubtful points in the note of Senhor Taques; but I have thought it better to abstain, for the present, from making any rejoinder to his note, and, indeed, I do not feel myself competent to discuss the question with the Brazilian Government at its present stage.

I have had an interview on the subject with the Minister of Justice,\* to whose Department this question more particularly belongs, and he has given me very strong assurances that everything which can be done in the way of inquiry and punishment shall be done, and I have much confidence in the rectitude of the present Minister of Justice. I hear also that the President of the Province of Rio Grande do Sul is a man of good reputation.

I have, &c.,  
(Signed) W. D. CHRISTIE

Enclosure 1 in No. 27.

*Mr. Christie to Senhor Taques.*

Petropolis, March 17, 1862.

M. LE MINISTRE,

I have the honour to refer your Excellency to a note addressed to you by Mr. Baillie on the 27th of October, relative to the sad wreck of the "Prince of Wales" near Albardao, in the province of Rio Grande do Sul.

Since Earl Russell sent to Mr. Baillie the instruction under which that note was written, he has received an account of the result of Mr. Consul Vereker's correspondence with the provincial authorities, and I am now instructed to state that Her Majesty's Government do not consider the explanations given by these authorities as satisfactory, and are of opinion

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\* Senhor Sayão Lobato. He ceased to be Minister of Justice in May, when there was a change of government, and Senhor Taques was at the same time succeeded as Minister for Foreign Affairs by the Marquis of Abrantes.



that the authorities of the district are culpable, and that no sufficient inquiry has been made. I am further instructed to state that Her Majesty's Government expect that a more scrutinizing investigation shall be instituted, with a view to the punishment of the parties concerned in the outrage, and of the local authorities who may be convicted of negligence in dealing with the case; as also with a view to adequate compensation to the owners of the vessel, whose property, by the admission of the provincial authorities themselves, has been plundered and wantonly destroyed, and to the surviving relatives of those who may be found to have been murdered.

I write, under Lord Russell's instructions, to the Admiral commanding Her Majesty's Naval forces on this station, who is now at Monte Video, to request him to send one of Her Majesty's vessels to the spot, with some experienced officer capable of advising and aiding Mr. Consul Vereker in this afflicting case; and this officer will be ready to cooperate in any inquiry which may be instituted, if such cooperation be agreeable to the Imperial Government.

I avail, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure 2 in No. 27.

*Senhor Taques to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
April 19, 1862.

(Translation).

The Undersigned, &c., has to acknowledge the receipt of the note which, under the date of the 17th ultimo, was addressed to him by Mr. William Dougal Christie, &c., for the purpose of calling the attention of the Imperial Government to the note which, on the 27th of October last, Mr. E. M. Baillie, then in charge of Her Britannic Majesty's Legation, addressed to this Ministry respecting the wreck of the English barque "Prince of Wales," near Albardao, in the Province of Rio Grande de São Pedro do Sul.

Declaring that his Government does not consider the explanations given by the authorities of that Province to the British Consul satisfactory, but is, on the contrary, persuaded that the authorities of the district are criminal, and also that the steps taken for the discovery of the truth were insuffi-



cient, Mr. Christie informs the Imperial Government, in his note to which the Undersigned replies, that he has received instructions to state to the Government of His Majesty the Emperor that Her Britannic Majesty's Government hopes that more minute investigations will be made, in order that not only the persons concerned in the outrage which is presumed to have been committed on the occasion of the shipwreck, but also the authorities, whose negligence on that occasion can be proved, may be punished, and further, that a reasonable indemnification will be granted to the owners of the vessel, whose cargo is said to have been robbed with the consent of the said local authorities, and to the families of those English subjects who may be proved to have been murdered.

In giving to this grave subject all the consideration which it deserves, the Undersigned will begin his reply to Mr. Christie's note by assuring him that immediately after the receipt of Mr. Baillie's first note of the 25th October last, he addressed himself to the President of the Province of Rio Grande do Sul, not only calling for all necessary information about the facts as stated, but very particularly ordering the President to take all suitable measures for obtaining a perfect knowledge of the truth, and to proceed against every one who might be inculpated, taking the most energetic measures which the case required.

In obedience to the orders of the Imperial Government, the Vice-President of that Province forwarded to this Ministry the information furnished by the several police authorities on the subject.

From this information it is seen that the indictment made by the Delegate of Police of Rio Grande could not be followed up for want of the witnesses to make depositions in the statement of the case; it happening that those who should have most knowledge of what took place, or had part in it, had either absented themselves or got away to the Oriental State; one individual, named Mariano Pinto, in whose house the Inspector of the District found goods, which were seized, remaining in prison awaiting the conclusion of the trial.

In obedience to the orders sent by the Imperial Government, the Chief of Police of the Province gave the necessary instructions to his Delegate to proceed with the accusation, and on the 26th of December fresh orders were sent from this Ministry to the President of that Province on this grave matter.



Under such circumstances, the Undersigned has reason to hope that the measures promptly taken by the Imperial Government will not be useless, and he assures Mr. Christie that this Government will not spare any means within its reach for the establishment of the facts, and the punishment of those who have taken any part in the crime, always observing the laws of the country.

From the information to which the Undersigned has referred, it does not result that the Inspector of the Quarter, who, by the way, is not an authority, but a mere agent of authority, and who resides at a distance of six leagues from the place of the shipwreck, or that the Sub-Delegate of Tahim, who resided at an equal if not greater distance, were to blame for what happened.

The Undersigned, meanwhile, assures Mr. Christie, that if it should be ascertained that these officials have been culpably negligent, the President of the Province, whose rectitude and zeal for justice inspire the greatest confidence, will take the necessary measures in order that such conduct may not remain without due censure.

The care and decision displayed by the Municipal Judge of Rio Grande, who, together with Her Britannic Majesty's Consul, proceeded to the spot where the event occurred, and searched the neighbouring houses endeavouring to make discoveries, are acknowledged and attested by the said Consul. And if some delay took place before the appearance of that authority, that delay is accounted for by the same causes which prevented the Consul from being there more promptly.

The Undersigned does not understand why the Consul attributes blame to the Judge of the Peace of the District for not having given notice of this fact at once to the superior authorities. The competent authority for that proceeding was the Sub-Delegate, and he did his duty, as is seen in the Consul's own report, and from the information addressed to the Imperial Government.

As no proof existed, nor any material data whereby it could be suspected that any one of the shipwrecked persons had been murdered, Mr. Christie will permit the Undersigned to observe that without any basis whatever so atrocious and wicked a crime cannot be imputed to any one.

From what the Undersigned has just explained, Mr. Christie will doubtless be convinced, not only that the Imperial Government is not in any way responsible for the



conduct attributed to the inhabitants of the coast of Albardao who are accused of having appropriated the goods saved from the wreck of the barque "Prince of Wales," but also that the local authorities performed their duty, so far as they were permitted by the distances and difficulties which obstructed their proceeding in a more prompt and efficacious manner.

The Undersigned will further observe to Mr. Christie that it cannot be doubted that the authorities on that occasion took every possible measure, although they arrived later on the spot than could have been wished. The presence of the Municipal Judge of Commerce, of the Custom-house officers, and of the military force, to which Mr. Baillie refers in his already mentioned first note, proves this assertion of the Undersigned.

No government, as Mr. Christie well knows, can be answerable for prejudices caused by outrages committed without its concurrence or instigation, in its territory, or by its subjects against foreigners.

The duties and efforts of a just and conscientious government cannot go further than the employment of the whole means within its reach to ensure the conviction of the fact, and the punishment of those proved to be the criminals.

The Undersigned flatters himself that Mr. Christie will acknowledge that the Imperial Government has acted thus in this important matter; and he will add, in order to confirm Mr. Christie in this opinion, that having already conferred with the Ministers of Justice and Finance, he now again addresses himself to the President of Rio Grande de São Pedro do Sul, calling for fresh and more complete information, and instructing him to cause the greatest severity to be exercised, against not only those who are implicated in the crime, but also against those agents of public authority who may not have acted with due zeal and diligence and circumspection.

As regards the offer made by Mr. Christie in his note to which this is an answer, of the cooperation of a naval officer, who will proceed in one of Her Majesty's ships to the place of the shipwreck in order to assist the Consul in this deplorable affair, the Undersigned returns thanks to Mr. Christie, but cannot understand what assistance the authorities of the country could receive from a British officer, nor what he could do in furtherance of the ends of justice, and he declines to accept the Minister's offer.



The Undersigned will conclude the present note by frankly stating to Mr. Christie that the Imperial Government feels its dignity pledged to the prosecution of the individuals who, in violation of the most sacred laws, committed the acts of depredation of which the inhabitants of the coast of Albardao are accused; and that whatever delay there may be in collecting the necessary proofs for proceeding legally, it will not desist from the intention to punish so great an atrocity, and make an example of its authors.

The Undersigned, &c.,  
(Signed) B. A. DE MAGES, TAQUES.

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No. 28.

*Mr. Christie to Earl Russell.—(Received June 3).*

Rio de Janeiro, May 7, 1862.

MY LORD,

Since I wrote my despatch of the 5th instant, I have received from Rear-Admiral Warren a despatch of which I enclose a copy, reporting the return of Captain Saumarez to Monte Video. I also enclose a copy of a letter from Mr. Consul Vereker to Captain Saumarez, of which a copy was enclosed in Admiral Warren's letter.

After receiving on the 6th or 7th from the President of the Province at Porto Alegre, a promise to give immediate orders for an inquiry by the Chief of Police, Captain Saumarez and Mr. Consul Vereker returned to Rio Grande do Sul on the 8th, and up to the 18th no communication whatever had been received from the President or Chief of Police on the subject of the promised inquiry, and Mr. Consul Vereker seems to be of opinion that the President had changed his mind, and had referred the matter to Rio.

Your Lordship will perceive that Admiral Warren complains of want of proper courtesy to his Flag-Captain, and I shall be glad to know if your Lordship wishes me to take any notice of this to the Brazilian Government.

I have, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure 1 in No. 28.

*Rear-Admiral Warren to Mr. Christie.*

"Forte," Monte Video, April 23, 1862.

SIR,

I had the honour to inform you by mail of the 1st instant, that in compliance with your wish, "that a naval officer should be sent to Rio Grande do Sul to assist Her Majesty's Consul at that port at an investigation which was to take place into the circumstances attending the wreck of the 'Prince of Wales,' of Glasgow, on the coast of Albardao, in June last," I intended that Captain Saumarez, my Flag-Captain, should proceed on that service.

Captain Saumarez left this for Rio Grande on the 1st instant, taking with him a gunboat of light draft of water. Immediately on his arrival at Rio Grande, Her Majesty's Consul and himself proceeded in the gunboat to Porto Alegre, where the President of the Province resides, and waited on his Excellency, informing him of the object of their mission.

His Excellency undertook that a searching inquiry should be immediately instituted, and that although he could not recognize the official right of Captain Saumarez to attend at the investigation, he had no objection to his being present as a private individual.

Captain Saumarez and Her Majesty's Consul then returned to Rio Grande, daily expecting intimation when the inquiry was to be held; but no steps whatever being taken,—Captain Saumarez having waited till the 18th instant, when Her Majesty's Consul and himself being of opinion that his remaining any longer was useless,—he rejoined me here.

The President was perfectly aware of Captain Saumarez's rank, and I consider it a great want of courtesy to that officer the President taking no further notice after promising the inquiry. Had he altered his intention and determined to communicate with his Government previous to entering into the business, Captain Saumarez had a right to be informed of it; but day after day passes without any steps being taken, or any communication made either to Her Majesty's Consul or to that officer.

Captain Saumarez informs me Mr. Vereker told him that



the President had full power to order the investigation, without any reference to the Government at Rio.

I have, &c.,

(Signed) RICHARD L. WARREN.

Enclosure 2 in No. 28.

*Consul Vereker to Captain Saumarez.*

Rio Grande do Sul, April 16, 1862.

SIR,

I have the honour to acknowledge the receipt of your despatch of this day's date, in which you inform me, that in view of the procrastination of the Brazilian authorities, with regard to the promised inquiry into the circumstances attending the wreck of the barque "Prince of Wales," you propose at once to return to Monte Video, unless I should advise otherwise.

Referring to my despatch of the 8th instant, I have to state, in reply to your communication, that the immediate urgency of the inquiry proposed was fully explained in our interviews with his Excellency the President, and he promised that the Chief of Police would be directed to come to an understanding with me on the subject. Nevertheless, I have good information that the Chief of Police on the 9th instant received despatches from the Presidency, which it is to be presumed referred to the proposed inquiry, as the steamer of war which conveyed them left Porto Alegre subsequently to Her Majesty's ship "Sheldrake," but he made no communication to this Consulate on the subject, merely returning my visit by a card, delivered by a servant after his departure for Porto Alegre, which took place on the 11th instant, in the steamer "Maria." The last-named steamer, which carried mails from Rio de Janeiro, after an unusual delay at Porto Alegre, arrived here yesterday evening, and on the 10th instant, the Brazilian steamer of war "Fluminense" had also arrived, and conveyed despatches from the Presidency for the Brazilian gunboat "Parnalulla," which was ordered immediately to proceed to Rio de Janeiro; but no communication from the Presidency regarding the object of your visit has reached either the Consulate or yourself, notwithstanding that on the 10th instant, after the arrival of the Chief of Police,



that object was clearly pointed to by publications in the daily newspapers: through these the guilty inhabitants of the coast will have received warning to conceal the last vestiges of their crime, the delays which have occurred giving them ample opportunities so to do, and if not to defeat, at least to diminish greatly, the efficacy of any inquiry now undertaken.

The request conveyed to the Presidency by yourself and me, for a full and searching investigation in the locality into the circumstances attending the wreck referred to, was simple, put forward with the utmost courtesy, its urgency clearly shown, and its necessity acknowledged by the President, who conceded the demand, stating he would order the inquiry, but no information is conveyed of action on the part of the Provincial authorities in the case, though they have had ample opportunities to declare their intentions and to institute proceedings.

Under these circumstances, I fully concur in the view you have expressed, that you should not longer remain in this port. I do not think such a course would be consistent with the circumstances of your arrival here, or in conformity with the respect due to the reasonable request of Her Majesty's Government. I may add, that the Provincial authorities have power to form a determination upon the case as it was submitted to the Presidency, and your remaining here in one of Her Majesty's vessels after full opportunities (though without known result) have been given to those authorities to communicate their decision, might lead to inconvenient interpretations.

In conclusion, I would express my gratification and thanks for your zealous cooperation with this Consulate, on all points, since your arrival at this port, and I would hope that if the Brazilian authorities should finally show a desire to discover the truth regarding the deaths of the crew of the barque "Prince of Wales," and to punish those who instigated the plunder of the cargo, I may yet, at a future time, have the benefit of your assistance, should a genuine inquiry be instituted.

I have, &c.,  
(Signed) H. P. VEREKER.

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No. 29.

*Earl Russell to Mr. Christie.*

Foreign Office, June 4, 1862.

SIR,

With reference to your despatches of the 5th and 7th of May, I have to instruct you to insist upon a proper inquiry into the circumstances of the wreck of the vessel "Prince of Wales," and that a British officer should be on the spot at the time of the investigation.

I am, &c.,  
(Signed) RUSSELL.

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No. 30.

*The Secretary to the Admiralty to Mr. Layard.—(Received June 6.)*

Admiralty, June 3, 1862.

SIR,

I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Her Majesty's Secretary of State for Foreign Affairs, with reference to your letter of the 6th September last, a copy of a letter dated the 24th April, from Rear-Admiral Warren, with its enclosures in original, reporting the proceedings of Captain Saumarez, of the "Forte," in assisting Her Majesty's Consul at Rio Grande, in demanding an inquiry by the Brazilian Government into the circumstances attending the plunder of portions of the goods saved from the "Prince of Wales," of Glasgow, wrecked on the coast of Albardao.

I am, &c.,  
(Signed) C. PAGET.

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## Enclosure 1 in No. 30.

*Rear-Admiral Warren to the Secretary to the Admiralty.*

"Forte," Monte Video, April 24, 1862.

MY LORD,

In my letter of the 23rd of December last respecting the wreck of the "Prince of Wales," of Glasgow, off the coast of Albardao; which vessel was plundered, and the crew supposed to have been unfairly dealt with, I had the honour of acquainting you, for the information of the Lords Commissioners of the Admiralty, that I had offered to send an officer to Rio Grande to assist Her Majesty's Consul in the investigation demanded by the British Minister. My offer was declined; Mr. Vereker, the Consul at Rio Grande, not considering that in the then state of the business an officer could be of any assistance to him.

2. On the 29th ultimo, I received a letter from Mr. Christie, Her Majesty's Minister at Rio, informing me that Earl Russell had again demanded a searching inquiry into the whole circumstances of the wreck, and requesting that a naval officer might be sent to assist. Accordingly I sent Captain Saumarez, of this ship, to Rio Grande with a gunboat, which enables him to proceed to Porto Alegre, 180 miles up the Lago dos Patos, accompanied by Mr. Vereker, Her Majesty's Consul, when he waited upon the President of the Province. A copy of his instructions is herewith forwarded.

3. Captain Saumarez returned to Monte Video after an absence of twenty days, not having succeeded in obtaining an inquiry. The enclosed letter, detailing his proceedings, will give their Lordships all the information on the subject.

I have, &amp;c.,

(Signed) RICHARD L. WARREN.

## Enclosure 2 in No. 30.

*Mr. Christie to Rear-Admiral Warren.*

Petrópolis, March 17, 1862.

SIR,

Earl Russell has lately sent instructions for a renewed demand for a searching inquiry by the Brazilian Government into the circumstances of the wreck of the "Prince of Wales,"



at Albardao near Rio Grande do Sul, and has referred me to his earlier instructions, under which Mr. Baillie in November last requested you to send, if possible, a vessel of war to the aid of Mr. Consul Vereker in this matter. You were then unable to comply with Mr. Baillie's request; but as I am informed that two or three gunboats of light draft have since joined the station, I hope that it may now be in your power to give effect to Lord Russell's wishes. If you can send a gunboat to Rio Grande do Sul, I hope it may also be in your power to send with it an officer of rank and experience sufficient to insure his giving effective cooperation to Mr. Consul Vereker in this afflicting case. I have mentioned to the Brazilian Government that I address to you this request, and that the naval officer whom you may send will, in accordance with the wish of Her Majesty's Government, be ready to cooperate in any inquiry which may be instituted, if it shall be agreeable to the Brazilian Government.

I have, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure 3 in No. 30.

*Orders addressed to Captain Saumarez,*

By RICHARD L. WARREN, Esq. &c.

Her Majesty's Minister at Rio having acquainted me that Earl Russell has again called upon the Brazilian Government for a searching inquiry to be made into the circumstances attending the wreck of the "Prince of Wales," of Glasgow, at Albardao, in June last, and suggested that an officer of rank and experience should proceed to Rio Grande do Sul to cooperate with the Honourable Mr. Vereker, Her Britannic Majesty's Consul, in the inquiry, and having selected you for this service, you will therefore proceed, as soon as convenient, to Rio Grande do Sul, in the "Oberon," taking with you the "Sheldrake" gunboat, there not being sufficient water for the "Oberon" to cross the bar.

On arrival at Rio Grande you can send the "Oberon" to cruise under sail, calling off the bar at such times as you may find necessary, and you will rejoin my flag by the 13th of April, if possible.



For your enformation is enclosed the copy of a correspondence between Mr. Consul Vereker and the British Legation on this subject; also the copy of a letter to me from Her Majesty's Minister at Rio.

Given under my hand on board the "Forte," at Monte Video, this 31st of March, 1862.

(Signed) RICHARD L. WARREN,

To Captain Saumarez,

Her Majesty's ship "Forte."

By command of the Commander-in-chief.

(Signed) HUGH F. PULLEN, *Secretary.*

Enclosure 4 in No. 30.

*Captain Saumarez to Rear-Admiral Warren.*

"Forte," Monte Video, April 21, 1862.

SIR,

Having this day returned in the gunboat "Sheldrake" from Rio Grande, I have the honour to forward a brief summary of my proceedings since the 1st instant, full details of which I gave in my letters of the 4th, 10th, and 17th instant and their enclosures.

I arrived off Rio Grande do Sul on the 3rd of April, crossed the bar in the "Sheldrake," and communicated with the Honourable H. P. Vereker, Her Britannic Majesty's Consul; finding from him that nothing could be done without authority from the President, who resides at Porto Alegre, at the head of an inland lake some 180 miles distant, and thinking the presence of one of Her Majesty's vessels thus far in the interior of the heart of the province would carry greater weight with the President, and strengthen our demands for an inquiry into the circumstances attending the wreck of the barque "Prince of Wales," and fate of her crew, we arrived there on the 6th instant, and the same afternoon his Excellency the President, Senhor Francisco de Assis Pereira Rocha, received the Consul and myself, when I informed him of the cause of my visit. He requested an interview on the following day, when I particularly pointed out to his Excellency that no inquiry had been made into the causes of the deaths of the captain and crew, and went most fully into the



subject, and Her Majesty's Consul gave full details, pressing for an immediate inquiry, pointing out that the inhabitants of the coast would be forewarned in the event of any delay, and consequently defeat the object in view. The President, in reply, acknowledged as to the plunder of the vessel, and that he would order an instant and full inquiry, for which purpose he would direct the Chief of Police to put himself in communication with the Consul on the subject, but that he could in no way recognize me in any official capacity on such inquiry, but that I might be present.

Agreeably with the request of Her Majesty's Consul I remained till the 17th instant, when, finding no steps of any kind had been taken by the Chief of Police, and feeling by my presence there I was sanctioning such procrastination on the part of the Brazilian authorities, I thought it best to leave that port, receiving the accompanying letter from Her Majesty's Consul; and I have also the honour to enclose the minutes of conversation held with his Excellency the President on the 6th and 7th instant.

I have, &c.  
(Signed) T. SAUMAREZ.

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#### Enclosure 5 in No. 30.

*Memorandum of Conversation which took place on the 6th of April, 1862, between Senhor Rocha, Captain Saumarez, and Consul Vereker.*

[See Enclosure 5 in No. 26.]

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#### Enclosure 6 in No. 30.

*Memorandum of Conversation held on the 7th April, 1862, between Senhor Rocha, Captain Saumarez, and Consul Vereker.*

[See Enclosure 6 in No. 26.]

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Enclosure 7 in No. 30.

*Consul Vereker to Captain Saumarez, April 16, 1862.*

[See Enclosure 2 in No. 28.]

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No. 31.

*Consul Vereker to Earl Russell.—(Received June 20.)*

Rio Grande do Sul, April 16, 1862.

MY LORD,

I have the honour to enclose copies of two despatches containing further correspondence with Captain Saumarez, R.N., respecting his visit to this port in connexion with the serious circumstances attending the wreck of the barque "Prince of Wales."

It will be seen from these papers that Captain Saumarez having waited, at my request, from the 7th instant to this day for the fulfilment of the President's understood promise for a full and complete inquiry into that case under the Chief of Police, and ample opportunities having occurred for such an inquiry being set on foot, and for his Excellency the President to declare his intentions, nevertheless no signs of action appeared, and consequently Captain Saumarez considered that it would not be proper longer to delay in this port, but offered to be guided by my opinion.

I concurred in Captain Saumarez's views, as by delaying here he would have had the appearance of awaiting the convenience of the provincial authorities, though they already were given full time to act, and the urgency of the case had been most strongly pointed out to them; their postponements then assumed the character that the demand put forward on the part of Her Majesty's Government was received with insufficient courtesy, or, it may be, little respect. I therefore felt it right to advise Captain Saumarez as I did in my despatch of this date.

I have, &c.

(Signed) H. P. VEREKER.

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## Enclosure 1 in No. 31.

*Captain Saumarez to Consul Vereker.*

"Sheldrake," Rio Grande do Sul, April 16, 1862.

SIR,

Having now waited in this port since the 10th instant, to assist and cooperate with you in any inquiry which the President might order (agreeably with your request); the Chief of Police having arrived here on the 10th instant, and left on the 11th instant; no communications of any kind as to such inquiry having been made to you either by the President or Brazilian authorities, though the former faithfully promised us at our interviews on the 7th and 8th instant that such inquiry should instantly take place; and the object of my mission here evidently having been made public, as witness the daily papers in which the one abuses the other for stating that some of the crew of the shipwrecked barque "Prince of Wales" met their death by strangulation; and as there has been frequent communication since with Porto Alegre, as also steamers of war at the President's disposal,—I consider it would not be consistent with my position to await such procrastination, the more so as it is quite evident that the President will not move in the matter till he has heard from Rio, to which port he sent the "Parahyba" gunboat on the 11th instant. Under these circumstances I propose at once to proceed to Monte Video in this gunboat, though at much inconvenience to myself, as I consider my waiting here any longer would be sanctioning such delays on the part of the President, who promised quite otherwise.

I, of course, shall be guided by your reply, and should you think it best for me to remain under the above circumstances I am at your disposal; and it only remains for me to add how gratified I am at finding our views and acts thus far have been most cordial and unanimous.

I have, &amp;c.

(Signed)

T. SAUMAREZ



Enclosure 2 in No. 31.

*Consul Vereker to Captain Saumarez, April 16, 1862.*

[See Enclosure 2 in No. 28.]

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No. 32.

*Consul Vereker to Earl Russell.—(Received June 20.)*

Rio Grande do Sul, April 24, 1862.

MY LORD,

Referring to my previous despatches regarding the case of the barque "Prince of Wales," I have the honour to report that on the evening of the 21st instant I received a despatch of the same date from the Delegate of the Police of this city, informing me that he had to proceed this day (24th) to the coast of Albardao, to inquire respecting the assassinations which I suspected had taken place on the crew of that barque, and inviting me to accompany him; this I declined to do, and I trust that your Lordship will approve my determination in view of the reasons I proceed to point out.

The President of this Province had stated most positively that the inquiry would be conducted by the Chief of Police, who is a principal member of the Provincial Government, and is appointed by the Central Government: his presence would therefore have carried with it much weight, and shown the earnestness of the Provincial Government; but the case became much altered when an inferior officer, appointed and removable at the will of the President, was nominated to conduct the investigation. I could not, therefore, consistently with the dignity of my position, associate myself with that officer, in view of the little regard paid by the President to the engagement entered into in the conversation which took place at the Presidency on the 7th instant, as reported in my despatch of the 14th instant, his Excellency not having even informed me of his changed resolution.

I should further observe that the inquiry now undertaken is not calculated to satisfy the expectations of Her



Majesty's Government. It is conducted by an officer of the same rank as he who accompanied me in June 1861, with a force less imposing than that on the former occasion; its necessity is alleged by his Excellency the President to arise from my having reported to Her Majesty's Government, that the crew of the barque had been assassinated, and the Delegate in his despatch invites me to be present, as it were to sustain my suspicions; thus the inquiry comes to bear the character of an attempt to disprove those alleged statements, which, as your Lordship is aware, were never uttered: for though I have endeavoured most faithfully to report the facts, I have with equal caution avoided hitherto drawing any conclusion. Besides, the inhabitants of the Albardao have now been long aware of the projected inquiry, and have had at least ten days to conceal the last open proofs of their guilt.

As my name has been prominently brought forward in connexion with this case, by the Brazilian press and otherwise, I feel it suitable at this time, and after mature consideration of the various bearings of the case, to declare my opinion that the deaths of some of those who composed the crew of the "Prince of Wales" cannot, in view of the facts and circumstances and position of the bodies, be accounted for in any reasonable manner, excepting on the supposition that they were the result of assassination.

I have, &c.,  
(Signed) H. P. VEREKER.

No. 33.

*Consul Vereker to Earl Russell.—(Received June 20.)*

Rio Grande do Sul, May 12, 1862.

MY LORD,

I have the honour to inclose a translation of a despatch of the 5th instant, received from the Chief of Police of this Province, and a copy of my reply, relating to the circumstances attending the wreck of the barque "Prince of Wales."

Immediately after receiving the despatch of the Chief of Police I visited him, and verbally explained such facts within



my knowledge as seemed calculated to assist the investigation proposed; he appeared to feel but little interest in the serious points of the case brought forward, and repeated that the indications were opposed to the opinion that any assassination had taken place. Before leaving, I offered to give the Chief of Police all the information in my power, showed myself ready to accompany him to the locality of the wreck if he should desire to proceed thereto, and requested to be present at any meeting or examination he might hold on this subject. I left, however, with the irresistible impression that the present proceeding was not undertaken for the purpose of discovering the truth; but rather to satisfy the British and Brazilian Governments, by hushing up, through a mock inquiry, that part of the question which relates to the possible violence which may have been offered to all or some who had been in the vessel mentioned.

This impression was strengthened when, on the 8th instant, I was invited to attend the only inquiry at which my presence was expected. The witnesses examined, the character of the questions, and the manner in which they were put, seemed to imply that the object of this inquiry is to maintain that no assassination took place; this your Lordship will be better acquainted with when I send you a copy of the evidence, for which I intend to apply.

I beg leave to enclose two translated extracts from a local newspaper, relating to the case under consideration.

I have, &c.

(Signed) H. P. VEREKER.

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Enclosure 1 in No. 33.

*Senhor Callado to Consul Vereker.*

Office of the Chief of Police of the Province of Rio Grande,  
May 5, 1862.

(Translation.)

Finding myself in this city by order of the Imperial Government, to direct personally the investigations commenced with the object of more minutely verifying the circumstances of the wreck of the British vessel "Prince of Wales;" seeing that the information afforded in former dates by the authorities of the district are recognized as being



unsatisfactory, I thus communicate to you, requesting you to furnish me with the explanations which you may judge useful to discover the truth, and punish the guilty.

We propose to examine into two orders of facts,—the plunder of the cargo and moveable articles thrown on the shore, and the assassination of the crew and passengers, altogether or partly. With regard to the plunder the local authorities proceeded long since, and a summary criminal process is under judgment, three individuals being pronounced guilty. New investigations are being made by means of the Delegate of Police, Dr. H. B. M. Canarim ; it is a recognised fact, and its authors will be brought before the Tribunal. With regard, however, to the assassination, up to the present the result of all the inquiries is negative. I am going to adopt new examinations, and therefore request you to furnish to me the reasons of your judgment, when you presumed that this crime took place. And if it is apparent to you that any part of the cargo of the barque "Prince of Wales" may still exist in any one's power, or that you should have knowledge of the persons who sold it, you will do me a special service in communicating. I beg of you to deign to let me know if it suits you to assist at the investigation in this city, and elsewhere.

I avail, &c.,

(Signed)

DARIO RAFAEL CALLADO.

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Enclosure 2 in No. 33.

*Consul Vereker to Senhor Callado.*

Rio Grande do Sul, May 5, 1862.

SIR,

I have the honour to acknowledge the receipt of your despatch of this day's date, in which you inform me of your arrival here, to inquire respecting the supposed murder of some of the crew, and the robbery of the cargo, of the barque "Prince of Wales." I have already verbally explained to you many facts in connexion with that wreck, and will be ready to give you all further information in my power in order to elucidate the truth. I should also desire to have the opportunity of attending an inquiry which you may make in this city on the subject, or to accompany you outside should you



judge right to continue the investigation in the locality of the wreck.

I have, &c.,

(Signed)

H. P. VEREKER.

Enclosure 3 in No. 33.

*Extract from the "Echo do Sul" of May 7, 1862.*

(Translation.)

INVESTIGATION.—The Dr. Chief of Police, accompanied by the Ensign and two or three police soldiers, went yesterday morning on horseback, and with luggage, outside the town.

We believe that his Excellency proceeded to Albardao,\* the classical district of depredations, robberies, assassination, and strangling.

The distinguished Dr. Chief of Police goes very late in search of the criminals. We believe, however, that, if his Excellency should so desire, he will still meet with many vestiges of crime.

Enclosure 4 in No 33.

*Extract from the "Echo do Sul" of May 10, 1862.*

THE ENGLISH CLAIM.—A portion of the press of the capital has looked upon the question of the English claim under the point of view of an exaggerated and ill understood patriotism, and of a susceptibility not quite justifiable.

The manner in which contemporaries think is not for our account, and where they discover a preponderance or abuse of superiority of force we barely see a just and very reasonable proceeding, because the gunboats did not force the entry of our port; they came with despatches of our Minister in Monte Video, and by his authority, which represents the Government, did the "Sheldrake" plough the Lake Patos.

There is not, on the side of England, any preponderance or abuse in claiming a guarantee for the lives and goods of its subjects, nor for Brazil any loss of dignity in attending to

\* The Chief of Police only proceeded about one-third of the way to Albardao, and returned on the next day the 7th instant.—H. P. V.



such just claims. It is not the Armstrong cannons which exact a satisfaction ; it is the right of nations, the code which regulates international relations.

The humiliations of 1851 cannot enter into the same account with that which now happens. Then there was abuse, now there is only a just claim to be satisfied.

NOTE.—The Editor then proceeds, in reply to another newspaper article, to point out that the condemnation of three persons for robberies of the cargo of the “Prince of Wales” was not in consequence of the arrival of the British gunboats, as the sentence had been passed previous to the arrival of those vessels, and was only delayed because the authorities of the coast had not proceeded to an act of inquest, and that through the absence of this essential evidence the culprits could only be condemned for the crime of theft instead of for that of robbery.

#### No. 34.

*Earl Russell to Mr. Christie.*

Foreign Office, July 3, 1862.

SIR,

I have received Mr. Vereker's despatches of the 16th and 24th of April and 12th of May, which have also passed through your hands, regarding the case of the “Prince of Wales.”

I regret to observe that there seems to be very little hope of arriving at a satisfactory conclusion in this affair, but Her Majesty's Government must hold the Brazilian Government responsible for correctly ascertaining the facts of the case.

You will continue to urge the matter on the attention of the Brazilian Government, and to press for the payment of all expenses incurred ; and I cannot but think that the Brazilian Government, on a full consideration of the facts of the case, will be disposed to make some compensation to the sufferers.

Whether the charge of culpability in this matter is or is not brought home to the Brazilian local authorities, there is no doubt that an outrage has been committed which reflects



but little credit on the state of Brazilian civilization, and under such circumstances it would appear natural that the Brazilian Government should be anxious to make every reparation in their power:

I am, &c.,  
(Signed) RUSSELL.

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No. 35.

*Mr. Stephens to Earl Russell.—(Received July 4.)*

15, Dixon Street, Glasgow, July 2, 1862.

MY LORD,

It is now more than twelve months since my ship, the "Prince of Wales," Captain McKinnon, was wrecked near Rio Grande, the captain, his wife, and the whole crew murdered by the Brazilians, the ship stores and cargo all plundered and carried away by the Brazilians, employes and subjects. Up to this time I have got no redress. I am going to London to take action in this matter, and will be obliged by your Lordship's causing me to be informed if the British Chargé d'Affaires at Rio has got any redress, or if you intend to compel them to give it without further delay.

Waiting your reply, I am, &c.,  
(Signed) R. P. STEPHENS.

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No. 36.

*Mr. Layard to Mr. Stephens.*

Foreign Office, July 9, 1862.

SIR,

I am directed by Lord Russell to acknowledge your letter of the 2nd instant, asking whether any redress has been given by the Brazilian Government for the outrage on the wreck of your vessel the "Prince of Wales."

I regret to inform you, in reply, that the last accounts from Her Majesty's Consul at Rio Grande hold out but little hope of arriving at a satisfactory conclusion in this affair.

But Her Majesty's Government are taking active steps with a view of correctly ascertaining the facts of the case,



and Her Majesty's Minister at Rio de Janeiro has been desired to urge upon the Brazilian Government the necessity of making compensation to the sufferers by this outrage.

I am, &c.,  
(Signed) A. H. LAYARD.

No. 37.

*Consul Vereker to Earl Russell.—(Received July 22.)*

Rio Grande do Sul, May 23, 1862.

MY LORD,

In continuation of the reports which it has been my duty to forward in reference to the wreck of the barque "Prince of Wales," and the renewed inquiry on the subject, the necessity of which latter has, after the lapse of eleven months, been acknowledged by the Brazilian authorities, I have to state that the Chief of Police, who was charged with the investigation, left this city for Porto Alegre on the present instant. With regard to his proceedings I have little positive information, as the only inquiry which I was invited to attend was the trifling examination referred to in my despatch of the 12th instant.

After the departure of the Chief of Police, Dr. Canarim, the Delegate of Police of this city, informed me this day that they had obtained proofs against six or seven individuals for plundering the cargo, but that no arrest had taken place, as they were satisfied that others of greater influence were involved, and it was feared that the principals would escape if those of less note with whom the others had combined should be prosecuted; they wished to connect the proofs so as to reach the principals. The Delegate added that almost all the inhabitants of the coast were implicated in the robberies. Dr. Canarim further said that the Sub-Delegate of Tahim, Delfim Francisco Gonçalves, had been dismissed in consequence of not having performed his duties in connexion with the wreck of the "Prince of Wales;" that Faustino José da Silveira, who had been nominated to the same office, had been removed and would be prosecuted for his proceedings in connexion with that wreck; and he expressed an opinion that no assassination had taken place on the occasion.



Dr. Canarim, the Delegate of Police, is an active officer, and though I report the above statements as communicated to me, I cannot yet confirm them; and it appears that the opinion that no murder could have taken place is hazarded on partial and insufficient evidence.

I have, &c.

(Signed) H. P. VEREKER.

No. 38.

*Mr. Christie to Earl Russell.*—(Received July 22.)

Rio de Janeiro, June 17, 1862.

MY LORD,

I enclose, for your Lordship's confidential information, a copy of a private letter which I received some time since from Mr. Consul Vereker on the subject of the wreck of the "Prince of Wales." It seems to me desirable that your Lordship should have knowledge of this letter for the general judgment which Her Majesty's Government will have ultimately to form on this affair. I felt it right confidentially to inform the late Minister of Justice \* of the contents of Mr. Vereker's letter. He assured me that full inquiry should be made about the conduct of the officials denounced by Mr. Vereker, and that if blame was found to attach to them they should not be spared. I am glad to infer from Mr. Consul Vereker's despatch of May 23, which I herewith forward, that the late Minister of Justice acted up to his promise. Your Lordship will, however, perceive that the Brazilian authorities, while now showing apparently goodwill and energy in this affair, still refuse assent to Mr. Vereker's opinion that some of the crew were murdered.

I have, &c.

(Signed) W. D. CHRISTIE.

Enclosure in No. 38.

*Consul Vereker to Mr. Christie.*

Rio Grande do Sul, March 29, 1862.

DEAR SIR,

I have this day received and acknowledged your despatch

\* Senhor Sayão Lobato.



of the 18th instant. As the Government are evidently taking an interest in the wreck of the barque "Prince of Wales," I feel it right to convey to you privately information which could not conveniently be mentioned in the official despatches, and which may assist your communications with the authorities.

When I went down to the coast of Albardao (about seventy miles) on hearing of the wreck, we went to the house of Senhor B. V. Soares, the nearest to the wreck; for though I was anxious to proceed to sleep on the coast, others of the party required rest, and my desire was overruled. Senhor Bento is the chief man of the district: he is Justice of the Peace, and most of those around are his relatives, compadres, or retainers. Those hitherto prosecuted or found with wreck goods are of the latter class. When we reached the house, we were unwillingly received, though we offered to pay for everything; and it appeared that his daughter (married to F. J. da Silveira) was the only person to act, Senhor Bento having left for Pelotas, in the country. She was excessively suspicious and fearful, and, above all things, hearing that I was the English Consul, she seemed incommoded. That night we remained without refreshment, and the next morning proceeded to the coast, where we found Senhor F. J. da Silveira with about ten armed men, who had stopped on the shore all night. On our arrival on the coast we found all the cargo plundered, and the cases broken open, some apparently quite recently (probably the previous night), as the smell of the wood and turpentine was quite fresh. On my pointing this out to Faustino, he at first roughly denied that anything had been touched, stating that all came so from the wreck. When, however, I showed him the forcible breakages and the marks of the instruments, he did not answer. After taking an inventory of the things on the coast, and directing the transport of such as I thought would pay the carriage, I rejoined the Municipal Judge and proposed an immediate examination of the bodies. F. J. da Silveira was present, and seemed greatly taken aback. He quickly turned his horse and joined his followers, and they seemed to have an earnest conference. Faustino then rode up to us again, and asserted that it was impossible to go that night to where the bodies were, &c.; and finally, the Judge, I presume yielding to prudence, as he had no force to cope with the others, declared that he had no power to do what I required. I then



proposed a search in the neighbouring houses, which Faustino most readily agreed to. It was then arranged between the Judge and the others that Senhor Faustino and myself should proceed through one district, and the Judge and Custom-house guard through another. Two soldiers were assigned to me as an escort, and Faustino took two of his men; all the others went with the Judge. This placed me in a difficult position, as only one of my followers was to be relied on; and so there was a preponderance against me, to be increased if any difficulty arose with the inhabitants; for it was evident they were acting with Faustino. But after one or two visits I found that all were evidently prepared for the search, and of course nothing was apprehended. Each person pretended that they had never heard of the wreck, or of bodies being found, though this had taken place close to their doors ten days before. When I was at the house of one who so alleged, a young man came in, to whom Faustino spoke in an undertone; but I heard the word "cadaver," and as we were riding away I asked him what the lad said about a dead body. Faustino replied that he had sent him in the morning to bury the last body found. I then asked, "Who is he?" "Oh, the son of the man you have been speaking to." This incident shows the falsity and collusion of the inhabitants of the coast.

When I returned to Senhor Bento's, I questioned one of his boys about the discovery of the wreck; and ascertained that the boy, having gone out after cattle early on the morning of the 9th of June, seeing the objects on the shore, had immediately returned and told his family of the shore being strewn with straw, &c.; that is to say, three days before Bento pretends to have first heard of the wreck as a rumour in the streets of Tahim (several leagues distant), when he was about to go to Pelotas, and two days before Senhor Faustino, who lives close by, acknowledges to have had any information of the occurrence. I also saw in Senhor Bento's house two cases belonging to the "Prince of Wales," empty, but dry and in perfect order. I noted the marks, and am informed from Glasgow, by the shipowners, that they had contained fine manufactured goods; yet no part of those goods were given up. The flight of Senhor Bento to Pelotas, apparently until the excitement respecting the wreck and crew should be calmed down, leaving Senhor Faustino, his son-in-law, to act as District Inspector, is also eminently suspicious.



From what I have stated you will form your own conclusions; and not to detain your valuable time, I shall merely further mention my conviction, in view of the influence which B. V. Soares, Justice of the Peace, and F. J. da Silveira, Inspector of the District and Substitute, and now Acting Sub-Delegate of Police, exercise over the inhabitants of the coast of Albardao, that unless these men are put in jail, or otherwise signally disgraced, no useful evidence or results will be obtained by further investigations into this painful case.

I have, &c.,  
(Signed) H. P. VEREKER.

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No. 39.

*Earl Russell to Mr. Christie.*

Foreign Office, July 23, 1862.

SIR,

I have read with great regret your last report upon the investigations into the outrage committed on the occasion of the wreck of the "Prince of Wales."

Her Majesty's Government cannot believe that the Brazilian Government will allow the ends of justice to be defeated in this case by the influence of local authorities, to whom strong suspicion attaches of having at any rate connived at the crime that has been committed.

You will inform the Brazilian Government that Her Majesty's Government take a deep interest in this serious case, and look to the Government of Brazil for justice, notwithstanding local opposition and influence.

Her Majesty's Government are also convinced that if it is proved that a crime has been committed, the Brazilian Government will cause the perpetrators to suffer the punishment due to their offence, and proper compensation to be made.

I am, &c.,  
(Signed) RUSSELL

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No. 40.

*Consul Vereker to Earl Russell.—(Received August 6.)*

Rio Grande do Sul, June 4, 1862.

MY LORD,

Having at length received from the local authorities copies



of the reports of inquests held on four bodies of those wrecked from the barque "Prince of Wales," I have the honour to inclose translations of those documents, sending at the same time the originals to Her Majesty's Mission.

With regard to the report from Albardao, I have omitted to repeat the mere opening and closing formal expressions, but the translation of the report made here I forward entire; and I have in both cases added confidential observations, which may assist your Lordship in appreciating truly this mysterious case.

I am, &c.  
(Signed) H. P. VEREKER.

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Enclosure 1 in No. 40.

*Report of Inquest held at Albardao on the Bodies Wrecked  
from the "Prince of Wales."*

*Translated Extract.*

ACT OF DISINTERMENT.

(Signed) GONCALVES.

22nd day of the month of June in the year of the birth of our Lord Jesus Christ, 1861, at 3½ o'clock in the evening, on the coast of Albardao, situated in this district, and close to the rivulet of Baeta, there being present Delfim Francisco Gonçalves, the Sub-Delegate of Police, with me the undersigned Secretary of his office, and the witnesses undersigned, and Manoel da Fonseca and Leonidio Pereira de Sousa, the skilled persons nominated, who are not professionals, both residents in this district,

*Consul's Observations.*

It is to be noted that only one body was disinterred; the others were found unburied.

I am informed that this Leonidio Pereira de Sousa headed a party of plunderers on the occasion of the wreck,



*Translated Extract.*

and on the same shore a small cross was met, which indicated a burial; and the said Judge, proceeding thereto with me the Secretary, skilled persons, and witnesses, the said Judge ordered that they should proceed to the disinterment of that which was there found, in order to proceed to an examination thereon, which in effect was done in the presence of the said Judge and of me the Secretary, skilled persons and witnesses, and other persons who were there, of which I give faith. And there was disinterred a corpse in a state of complete putrefaction; and there the Judge administered to the skilled persons the oath on the Holy Evangelists, that they should well and faithfully perform their mission, declaring with truth that which they should discover or meet with, and that which in their consciences they should understand; and he charged them that they should proceed to an examination on the corpse which was present, and that they should answer the following questions:—

1st Question.—That they should recognize if the person is white or coloured.

2nd Question.—If it be man or woman.

*Consul's Observations.*

and directed their movements; also, that he is brother-in-law of Bento Venancio Soares, upon whom much suspicion rests. The impropriety of nominating him to examine and report becomes, therefore, very manifest, more especially when it appears that the Sub-Delegate proceeded from the house of his host, Venancio Soares, to make the inquest.



*Translated Extract.*

3rd Question.—What is the state of the body?

4th Question.—What was the immediate cause of death?

Consequently, the skilled persons passed to make the examinations and investigations ordered, and those which they judged necessary: the whole concluded, they declared the following:—

To the 1st question they answered that it is white; to the 2nd question they answered that it is a man, as it has beard and fair hair; to the 3rd question they answered that it appeared to have been eaten by animals in the private parts, and that it has one foot booted, and is dressed with trousers and smock-frock; to the 4th question, that it was drowned, and that in their opinions they judge it to be of the English barque "Prince of Wales," lately wrecked here. And these are the declarations which, in their consciences and under the oath administered, they have to make; and as there was nothing more, the examination ordered was concluded; and of all this present Act was drawn, which is written by me and countersigned by the Judge, and signed by the same, the skilled persons and witnesses, with me the Secretary, Joao Leonardo Dutra

*Consul's Observations.*

The insufficiency of this tardy inquest is shown by the replies, which are not only meagre, but in part inaccurate. The body was evidently that of a seaman, middle-aged, dressed with a thick blue shirt, a pair of trousers, thick worsted stockings, and on one foot a sea-boot, with part of a pair of oil-cloth trousers attached; The man had apparently been drowned the body showing no marks of violence; but the parts immediately below the belly were open, and the intestines putrid, when the body came to the cemetery. The skin, except where mentioned, was quite perfect. I therefore do not understand the grounds on which it is said to have been eaten by animals. The beard and whiskers were dark, the hair of the scalp of a lighter colour.



*Translated Extract.*

who made it and signed it,  
of all which I give faith.

(Signed)

DELFIN FRANCISCO GONCAL-  
VES.

LUIS MANOEL DA FONSECA.

LEONIDIO PEREIRA DE SOUZA.

JOSE ALVES DE FREITAS  
RAMOS.

JOAO FERNANDES RIBEIRO.

JOAO LEONARDO DUTRA.

### ACT OF INQUEST.

1st Question.—If there is really death.

2nd Question.—What its immediate cause.

3rd Question.—What the means employed to produce it.

4th Question.—What the incident which produced it.

5th Question.—What its state.

In consequence, the skilled persons proceeded to make the examinations and investigations ordered, and those which they judge necessary; the which concluded, they declared the following:—

To the 1st question, that it is truly dead; to the 2nd question they answered, that drowned by the sea; to the 3rd question they answered, that the same sea; to the 4th question that wrecked as it appears; to the 5th question they answered, that strangled, and eat by animals in various parts, and that it is white, and is a man, who

*Consul's Observations.*

The next paper, headed "Act of Inquest," refers to the inquest on the second body, which was found unburied. The preliminary observations and the persons engaged are the same as before, and the examiners are directed to proceed to the examination of the corpse which is before them (no mention being made of the position or circumstances in which the corpse was found), and to answer the questions alongside. It is to be noted that this second examination is stated to have taken place at 1 o'clock in the afternoon, though the previous examination is stated to have been at half-past 3 in the evening of the same day, 22nd June.

The corpse here treated of, as well as the two others next mentioned, were found a considerable distance from the shore, and the questions asked, and answers, show little difference. My observations thereon will be found at the conclusion. It may be mentioned in this place that the body treated of appears to have been of the lower orders, and was partly dressed with coarse trousers, and shirt and stockings: the type was



*Translated Extract.*

has fair hair and beard. And these are the declarations which, in their consciences and under the oath administered, they have to make.

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In continuation.

To the first question they answered that it is truly dead; to the second question they answered that drowned by the sea; to the third question they answered that the same sea; to the fourth question they answered that wrecked as it appears; to the fifth question they answered that all eat by animals; that it is man as it has yellow-reddish beard and hair, and that it is white. And these are the declarations which in their consciences and under the oath administered they have to make.

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In continuation.

To the first question they answered that it is truly dead; to the second question they answered that drowned by the sea; to the third question they answered that the same sea; to the fourth question they answered that wrecked as it appears; to the fifth question they answered that all eat by animals, that it is a white man, hair and beard reddish yellow. These are the declarations that in their consciences and under the aforesaid oath they have to make.

*Consul's Observations.*

scarcely that of an Englishman.

The closing and signature being the same as before are omitted.

The opening of the next examination of a corpse is the same as before, and also the questions, which are therefore omitted; this examination is stated to have taken place at two o'clock and twenty minutes on the same 22nd day of June.

The answers are as stated alongside.

The conclusion and signatures being the same as before are omitted.

The next examination of a corpse is stated to have taken place at half-past two o'clock on the same day. The opening and questions being the same as before are omitted; the answers are given alongside.

The conclusion and signatures being the same as before are omitted.



*Conclusion of Consul's Observations.*

It appears to me that the foregoing report of inquest is unworthy of confidence, because the persons appointed to make the examination were unfit for the duty which they had to perform, one of the two especially being a person who ought not to have been nominated, and whose declarations in a case where he is so nearly interested could carry no weight. Again it is shown by the last three reports that the questions are word for word alike, and answers nearly so, yet there was no small difference in the cases in regard to those three corpses: there was one in almost a perfect state, dressed with trousers, shirt, and stockings, the parts below the belly, as in the first-named case, had disappeared, and the inner parts were shown in a decomposed state, but the skin otherwise was perfect, though the skull was fractured; this I state as the body appeared when brought to the cemetery. The other two, according to the assertion of the carter who brought them up, were stated to have been found embraced together; the head and features, hands, arms, and feet, of both were in a sound state, as also the skin of the breast with the exception of two openings between the ribs, in the one corpse large, in the other lesser, which the doctor assured me might have arisen by the stretching of the skin, or from birds; one of those corpses was more decayed than the other, the rest of the bodies were mere skeletons. With regard also to the position and circumstances of the three last-mentioned corpses, the report is ominously silent: the escort who conducted those bodies stated they were found in the plains near the Rio da Baeta, and were completely stripped of clothes. All the bodies are stated to have had light hair, yet one of them had thick jet black hair.

The word "strangled" ("estrangulado" having the same meaning in Portuguese and in English), used in reference to the corpse secondly-mentioned, caused the authorities lately to apply to the examiners for an explanation, and they now explain in effect that they did not use the word in its common signification, but to show that the body was in a very bad state. In order to test how far such a declaration should be believed, it may be observed that the examinations are stated to have taken place at 3.30 p.m., 1 p.m., 2.20 p.m., and 2.30 p.m., respectively. It may, therefore, be inferred that the two last examinations related to the corpses found



in juxtaposition, which were in a much worse condition than the other two ; and it scarcely seems credible that the word "estrangulado" should have been applied, with the fantastical meaning now sought to be attached, to the corpse which was in a better state, and omitted in regard to the two others which were in a far worse state, more especially as there is no other notable difference in the answers. In order to form a just opinion upon this difficult point it should be noted that the examiners are made to declare that the body alluded to had been drowned and death caused by the sea ; but the word "strangled" is well known in the country parts and is often applied to death caused by the lasso. No difficulty would, however, occur in the interpretation were it supposed that the examiners believed that the body had been found drowned, and afterwards had been dragged to the position where it was found.

The neck of the corpse in question I did not examine, as I had then no knowledge of the report now sent ; therefore I cannot say if there were any mark of strangulation thereon.

It will be remembered that I applied to the authorities on the 18th of June, 1861, to send with the corpses any clothes or other articles found adjoining or near to the deceased, and a note as to how they were found. Nothing is said in the reports on this subject, and the last two corpses were wholly without even a remnant of clothes. No statement is made as to the clothes which were on the second corpse, and regarding those on the first the statements are not correct. All these circumstances show at least an unpardonable negligence on the part of the authorities charged with the inquiries in so serious a case.

British Consulate, Rio Grande do Sul,

June 4, 1862.

(Signed)

H. P. VEREKER, *Consul*.

#### Enclosure 2 in No. 40.

*Report of Inquest at the Cemetery for Protestants of Rio Grande do Sul on Four Bodies wrecked from the Barque "Prince of Wales."*

*Translation.*

*Consul's Observations.*

Act of examination and in-



*Translation.*

quest made on four corpses sent from Tahim by the Sub-Delegate of Police in virtue of the request which Her Britannic Majesty's Consul made to this Delegation, and which are said to belong to the crew of the English barque "Prince of Wales," wrecked at Romeiro.

On the 24th day of the month of June in the year from the birth of Our Lord Jesus Christ 1861, in this city of Rio Grande do Sul, in the cemetery for Protestants outside the fortifications ; present: Captain Antonio Estevao de Bitancourt e Silva, with me, the Secretary of his office, and witnesses undersigned :— Doctor José de Pontes Franca, skilled person, the Hon. Prendergast Vereker, Consul of Her Britannic Majesty, the Delegate administered to the skilled person in his hands the oath on the Holy Evangelists well and faithfully to declare with truth that which he should meet with, and in his conscience understand, and charged him that he should proceed to an examination on the corpses which were there having come from outside, and which are said to belong to the crew of the English barque "Prince of Wales," the which were ordered to be disinterred in virtue of the re-

*Consul's Observations.*

The Secretary and witnesses, undersigned, were not present ; but this circumstance seems immaterial, as the habit of making such false declarations in public documents is common in Brazil. My clerk was present, but was not asked to sign as a witness.



*Translation.*

quest of the respective Consul, and that he should answer the following questions:—

1st. If the death was made?

2nd. If the death was due to drowning?

3rd. What the damage caused?

And the skilled person having proceeded to the examination ordered declared, the following:—

That one of the four corpses, which the conductors affirmed had been disinterred, was of the ordinary stature, above fifty inches, thin, skin white, with little hair, and those of the head were from four to five inches long, thick, and of a light chestnut colour, the whiskers the colour of fire and almost up to the angles of the lips, face oblong, nose aquiline, he had no mark natural or made, the skin was easily detached, the genitals in complete putrefaction, and also the lower part of the belly, where the intestines were seen in complete putrefaction. He was dressed with a shirt of blue baize turned over the head, and only attached to the body by the neck and wrists, which were buttoned; old drawers of light white baize with three mendings in the part facing the thighs, the left foot and leg naked, and the right with stocking and thick boot; and,

*Consul's Observations.*

One body only was disinterred, the others were found unburied.



*Translation.**Consul's Observations.*

therefore, he answers to the first question.

There is not any indication which makes to suspect that the death was caused by another ; to the second, that it is probable that the death was due to drowning in water ; and that he cannot value the damage caused. And as there was nothing more to examine and declare upon this corpse, the Delegate concluded this examination, and passed to examine the second body which the conductors declared had not been disinterred, but really met with on the ground.

He declared that the corpse was of regular stature, more than fifty inches in height, fat, skin white, without characteristic mark, natural or made, the hairs of the head six to seven inches long, thick, and of a black colour, face large and rounded, whiskers black, and fronting the ears a little more than two inches wide, the nose small and in complete putrefaction, also the genitals and lower belly, where there was a large opening, whence came out an abundant flowing of putrid blood from the intestines, which by that place were seen in complete putrefaction ; the skin was detached by the least compression. He was with shirt and trowsers of

It is to be remarked that the Portuguese word "chao" used here, in the original, to designate ground, regularly means the solid ground, and the soil of which it is composed ; it would scarcely be applied to the immediate shore of the sea, or to those parts reached by the high tides.



*Translation.*

thick canvass and old, with dark stockings and without shoes ; and, therefore, he answers to the first question, if the death was made ? No, there is no indication or signal which points out that the death was produced by another. To the second, that it is probable that the death was due to drowning in water ; and that he cannot value the damage caused.

*Consul's Observations.*

The above evidence is somewhat exaggerated ; where the opening existed below the belly there was certainly coagulated blood, but not that abundant flow stated. The examining doctor pressed the skin with his cane in various parts, but did not break it. The word used in the original is "epiderme," meaning the epidermis, or thin outward skin ; but I do not understand the medical meaning of the word "destacava-se" (was detached) as employed in this case. Again, when the examiner states that "there is no indication or signal which points out that the death was produced by another," I agree with him in so far that there was no proof that the individual had suffered by the hands of another, and I see no sufficient reason to think he had ; but the skull was fractured, the indenture on the left side, and the fracture over the left eye, and discoloration of the bone and skin on the left temple, being quite perceptible, and immediately noticed by several who attended the funeral. The fact of the fracture ought certainly to have been mentioned in the Report of Inquest, and the withholding of the information only adds another to the many incidents which show that the Brazilian authorities desire in this case to conceal all which might create a suspicion that any belonging to the "Prince of Wales" were murdered. My reasons for not attributing the death of the body under consideration to assassination are as follows :—The modes of assassination adopted in this country are usually three—strangling with the lasso, stabbing with knives, or killing with the "bolas"



(leaden or iron balls covered with leather). Now in this particular case I did not examine the neck, so can say nothing with regard to the possible strangling; on the body no marks of stabs were found; and the indenture of the skull was so great that it scarcely seems possible to have been the result of a blow from the "bolas," but rather as though a heavy body, such as a spar, had crushed the skull, or the head had been driven with violence against such a body. Besides, though there were fourteen persons on board the barque, and the bodies of ten were acknowledged to have been found, the bodies of four only were delivered up; it is therefore against all probability that those proving crime would have been exhibited when the others were wilfully withheld. The examination then proceeds as follows:—

*Translation.*

And there being nothing more to examine nor to declare upon this corpse, he passed to examine the other two, which were also found on the ground, the Delegate ordering that the same skilled person should answer regarding them by the questions presented respecting the first; and the aforesaid skilled person, Dr. José de Pontes França, passing to make the examinations ordered, declared: That these two corpses (of the four come from outside) were in complete putrefaction and destruction of the covering, there remaining some skin on the ribs, face, and skull, which showed they were of clear persons, as well as the hairs of the head and beard were five to six inches in length, light chestnut colour, or almost reddish-yellow; of regular stature, above

*Consul's Observations.*

I was present when the inquiries were made of the police-escort who had conducted the bodies. The matter made a great impression on my mind at the time, and has since been continually brought to my recollection. My remembrance, therefore, of the sense of the answers is very perfect, though I might not state the very words used. The delegate asked the police where the bodies had been found. They said, Near the River Baeta. He asked whether they were on the shore. They replied, that the one buried was on the shore, but the others unburied were "no campo," which means in the open plain. He asked again, how far they were from the shore. And the soldier Pedro, an intelligent Indian, who was the spokesman, replied, that they were at least



*Translation.*

50 inches in height, wholly stripped; and therefore he answers that he can say nothing regarding the probable cause of the death of these two individuals: also that he makes no valuation regarding the damages caused, the conductors having declared that these corpses were unburied in a place of the solid earthy ground, ("terreno solido"), and within reach of the great tides. And as there was nothing more the Delegate finished these examinations, of which the present act is drawn up, which goes written by me, and countersigned by the Delegate, signed by the same skilled person, the Consul of Her Britannic Majesty, and witnesses present, with me the Secretary Francisco Vicente Nobrega, who wrote it, and of all give faith.

(Signed) ANTONIO ESTEVAO

DE BITANCOURT  
E SILVA.

DOCTOR JOSE DE  
PONTES FRANCA.

H. P. VEREKER,

*Her Britannic  
Majesty's Consul  
Rio Grande do  
Sul, as having  
been present.*

APOLINARIO JESU-  
INO DE OLIVEIRA,  
*Porto Alegre.*

*Consul's Observations.*

three to four quadras from the shore. The quadra, as generally used here, means the distance from one street in a town to another, or about 300 feet; thus the bodies would have been at least 900 feet distance from the shore, and the words used clearly show that those bodies were not brought to such a position by the sea, as upon this shore, the line of the reach of the sea is most clearly marked, in consequence of the coast in the lower parts consisting wholly of fine sand; and there is a rising of the sand or an eating away of the land in those parts where the highest tides reach, which clearly divide the shore from the inland parts. It will thus be seen that the declaration made by the Police Secretary that the two last corpses were found within reach of the high tides is not only gratuitous on his part, but is manifestly false and even contradicting the previous evidence. Again, in this instance, is exhibited the desire of the Brazilian authorities to prevent the suspicion of assassination. Although I am most unwilling to refer to words which may have been intended to be private, yet I feel that in so serious a case I ought not to omit to mention that when the Delegate of Police heard



*Translation.*

MANOEL MARTINS  
 VIANNA.  
 FRANCISCO VI-  
 CENTE NOBREGA.

It agrees.

The Secretary,  
 Signed) FRANCISCO VICENTE  
 NOBREGA.

*Consul's Observations.*

Pedro's answer as to the distance of the bodies from the shore, he shook his head, and turning from the soldiers towards me, he muttered partly as it were to himself, "All goes to prove it, all goes to prove it," or words to that effect, evidently alluding to previous conversations we had held regarding the possibility of violence having been offered to the crew. When returning he asked me, in the presence of Dr. França and Mr. Aveline, not to state in my report anything that would compromise the country, as the case was a disgrace to Brazil. I replied that my duty was a painful one, but I must report what I believed to be the truth. I should add here, that when the last two corpses, entangled or clasped together, were being taken out of the cart which had brought them, the carter, a man of apparently Spanish extraction, exclaimed, "That is the way the poor fellows were found together!" or words to that effect. In view of that assertion I have stated that those bodies were found together.

Finally, I should observe that when this Report of Inquest was presented to me for signature, I objected to affix my name, as I did not agree in all the statements



*Translation.**Consul's Observations.*

made; the Police Secretary who brought it, however, averred that my signature only implied my having been present, and though this was clearly the fact, I yet considered it right to sign, with the saving clause that I did so merely "as having been present," thus clearly pointing out that I did not agree in the Report, though I did not consider it necessary to protest against the false statements made.

British Consulate, Rio Grande do Sul,  
June 4, 1862.

(Signed) H. P. VEREKER.  
*Consul.*

## No. 41.

*Mr. Christie to Earl Russell.—(Received August 6.)*

Rio de Janeiro, June 23, 1862.

MY LORD,

I enclose a translation of a passage from the Annual Report of the Department of Foreign Affairs, lately presented by Senhor Taques to the Legislature, relating to the shipwreck of the barque "Prince of Wales."

None of the correspondence on this subject is published in the Appendix to the Report. Senhor Taques states that full and stringent instructions were given to the President of Rio Grande do Sul before any complaint or demand was received from Her Majesty's Government, and he makes no mention of the second demand for further inquiry and reparation made by me on the 17th of March, in consequence of which steps have been taken, showing that the President of Rio Grande admits that his former proceedings were insufficient. The object of Senhor Taques in his statement is, as usual, to assume the credit for the Brazilian authorities of doing, of their own accord, all that is proper.

The recent visit of Her Majesty's ships "Oberon" and



"Sheldrake" had caused much comment and some excitement. Senhor Taques makes no mention of the visit of these men of war, but this event has doubtless increased his anxiety to save the dignity of the Brazilian Government before the Brazilian public.

I have, &c.  
(Signed) W. D. CHRISTIE

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Enclosure in No. 41.

*Extract from the Report of Senhor Taques to the Legislative Assembly of Brazil, presented on the 13th of May, 1862.*

(Translation.)

THE SHIPWRECK OF THE ENGLISH BARQUE "PRINCE OF WALES."—By a despatch from the President of Rio Grande de Sao Pedro do Sul, dated the 3rd of last July, the Imperial Government was informed of the wreck of the English barque "Prince of Wales," at the place called Albardao, on the coast of that province, and that the English Consul, the Judge of Commerce, the Assistant of the Chief Custom-house Guard, with a sufficient force, had proceeded to the spot for the purpose of taking charge of the goods saved, and to succour the shipwrecked persons.

At the same time the Imperial Government was informed not only that many of the goods saved were supposed to have been stolen, but that the British Consul attributed to the want of necessary exertions on the part of the competent authority the fact that only four corpses of the shipwrecked crew had been met with, while the Inspector of the place asserted that a greater number had been buried, thus leading to the suspicion that some of them had been murdered.

In replying to these communications of the President of Rio Grande do Sul, the Imperial Government very pressinglly instructed that functionary to give to this matter his most serious consideration, in order that the truth might be elicited, and that those who might be proved guilty of the alleged outrage might be prosecuted and punished.

Subsequently, under date of the 25th of October, Her Britannic Majesty's Legation at this Court, referring to communications from the Consul in Rio Grande, addressed the Imperial Government, stating the above-mentioned facts, and calling for the punishment of their authors.



The Imperial Government communicated to the President of Rio Grande this demand, and repeated its instructions, telling the President that in order to arrive at the desired result, the discovery of the truth, he should spare no effort, for the Government considered its dignity involved in this affair, and was firm in the intention of punishing so great a crime, and making an example of its authors.

The difficulties inseparable from the inquiries in question, considering the distances, localities, and the qualities and conditions of the individuals who reside in or pass through them, have retarded the action of the authorities, so that these have not yet been able to arrive at a positive and exact knowledge of the facts complained of.

It is, however, gratifying to me to announce to you, that if from the correspondence up to this time received from the President of Rio Grande do Sul there is reason to believe that some articles saved from the wreck were stolen, it happily appears that the suspicions entertained of murders having been committed on the occasion of the shipwreck of the vessel are without foundation.

It is not less gratifying to me also to communicate to you that the President of the Province of Rio Grande do Sul, corresponding to the wishes and confidence of the Imperial Government, has proceeded in this affair with the greatest solicitude, judgment, and propriety; wherefore the Government nourishes a well-founded hope that the truth will soon be discovered, and justice accomplished, as the morality and civilization of our country require.

#### No. 42.

*Mr. Stephens to Earl Russell.—(Received August 15.)*

15, Dixon Street, Glasgow, August 11, 1862.

MY LORD,

I am greatly troubled by the relatives of the captain and crew of the late barque "Prince of Wales," who seem dissatisfied with the delay of obtaining redress. I intend going to London tonight, and if your Lordship or your Secretary could spare a few minutes for an interview on this affair, it may enable me to give them some hope of redress. I



would be obliged by your favouring me with a reply to Ryder's Hotel, Fleet Street.

I have, &c.,  
(Signed) R. P. STEPHENS.

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No. 43.

*Mr. Christie to Earl Russell.—(Received August 22.)*

Rio de Janeiro, July 20, 1862.

MY LORD,

I enclose a copy of a note which I have addressed to the Marquis of Abrantes since receiving your Lordship's despatch of June 4, instructing me to continue to insist on a searching inquiry into the wreck of the "Prince of Wales" to be made in the presence of a British officer.

I am without any further communication from the Brazilian Government on this subject since the note of Senhor Taques, of April 12, which was in your Lordship's possession when you sent me this last instruction; but having learnt by despatches from Mr. Vereker to your Lordship, which have since passed through my hands, that a new inquiry had taken place, and that certain minor officials were in consequence removed or to be removed, I was anxious to learn from the Marquis of Abrantes, before acting on your Lordship's last instruction, whether it was his intention shortly to make any communication to me. I therefore sought his Excellency, and asked him the question. His reply, in general terms, was that proceedings were being taken against certain parties; he made no mention of officials. He stated that he was waiting for further information before he could make any communication to me, and he added that the Brazilian Government were convinced that the charge of murder was entirely disproved. I replied that Her Majesty's Consul continued to be of a different opinion; and after this interview I thought it well to address to his Excellency the note of which a copy is enclosed, and in which your Lordship will see that I have mentioned the opinion of Admiral Warren and Captain Saumarez, that the latter had not been treated by the authorities of Rio Grande do Sul with due courtesy and consideration.

I am aware that since the last information which your



Lordship had when you sent me your last instructions, Mr. Consul Vereker has been requested to attend an inquiry held by the Delegate of Police, and has declined to do so for reasons which he has reported to your Lordship. But I have not felt certain whether by a British officer your Lordship meant a British naval officer or generally a British functionary.

In the enclosed note I have used your Lordship's words. This note may yet stimulate the Brazilian Government to further proceedings and admissions. The tone of it is, I think, such that your Lordship will find no difficulty, if you should wish it, from cause hereafter shown, or even on account of additional information already in your possession, in modifying or receding from the demand of a new inquiry in the presence of a British officer.

The disingenuous statement lately published on this subject by Senhor Taques in his Annual Report, to which I have called your Lordship's attention in my despatch of June 23, has helped to determine me to write the enclosed note; and generally, the slowness of the Brazilian Government, and their unwillingness to admit themselves in fault, make as much pressure as possible desirable.

I have, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure in No. 43.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, July 16, 1862.

M. LE MARQUIS,

I forwarded to Lord Russell a copy of the note addressed to me by Senhor Taques, on the 19th of April, on the subject of the unfortunate events connected with the wreck of the English barque "Prince of Wales," and replying to Mr. Baillie's note of the 27th of October of last year, and to mine of 17th March last.

While stating the desire of Her Majesty's Government for a more searching inquiry into all the painful circumstances connected with the wreck in question, with a view both to punishment and indemnity, I had informed Senhor Taques, in my Note of the 17th of March, that I had requested the British Admiral to send an experienced naval officer to Rio



Grande do Sul, and I offered his assistance in any inquiry which the Brazilian Government should institute. Senhor Taques, in his note of the 19th of April, stated that fresh instructions had been sent to the President of Rio Grande do Sul for further investigation, and for punishment of the guilty parties, but he declined the offered aid of a British naval officer.

In the meantime the British Admiral had sent from Monte Video to Rio Grande do Sul his flag-captain, Captain Saumarez, and this officer had proceeded with Her Majesty's Consul, Mr. Vereker, to Porto Alegre, to wait on the President of the Province. The President promised Captain Saumarez and Her Majesty's Consul to give orders immediately to the Chief of Police to hold a new inquiry, at which it was agreed that Captain Saumarez should, with Her Majesty's Consul, be present, though the President declined to admit him to take an official part in it. Captain Saumarez then returned with Her Majesty's Consul to Rio Grande do Sul, where they were to receive a communication as to the promised inquiry from the Chief of Police, and having waited there from the 8th of April to the 18th without hearing anything, either from the President of the Province, or from the Chief of Police, who was in Rio Grande do Sul in the interval, Captain Saumarez returned to Monte Video for other duties, and he returned with the feeling, which is shared by the Admiral who sent him, that he had not been treated by the Brazilian authorities with due consideration and courtesy.

Her Majesty's Government having before them the note of Senhor Taques of the 19th of April, and being informed of the return of Captain Saumarez to Monte Video, have instructed me to say that they are of opinion that this question, full of painful suggestions, cannot be satisfactorily disposed of without a thorough inquiry made in the presence of a British officer.

I have, &c.  
(Signed) W. D. CHRISTIE.

No. 44.

*Earl Russell to Mr. Christie.*

Foreign Office, August 30, 1862.

SIR,

I approve of the note which you addressed to M. d'Abrantes,



and copy of which is enclosed in your despatch of the 20th ultimo, pressing for a further and more satisfactory investigation into the circumstances of the wreck of the vessel "Prince of Wales."

I am, &c.,  
(Signed) RUSSELL.

No. 45.

*Mr. Christie to Earl Russell.—(Received September 2.)*

Rio de Janeiro, August 7, 1862.

MY LORD,

I have to bring a disagreeable incident to your Lordship's knowledge, and I enclose—

1. Copy of a letter from Rear-Admiral Warren dated June 22, complaining in very strong terms of ill-treatment by Brazilian police authorities of three officers of his flag-ship, one of them the chaplain.

2 to 5. Copies of reports made to the Admiral by Captain Saumarez and by the three officers enclosed in Admiral Warren's letter to me.

6 and 7. Copy of report made to me by Her Majesty's Acting Consul, and translation of the letter of the Chief of Police to him.

8. Copy of a note to me from the Marquis of Abrantes, Minister for Foreign Affairs, dated July 17, and enclosing a report from M. Sinimbu, the Acting Minister of Justice, of the result of an inquiry into the affair instituted by the Chief of Police.

9 to 11. Translations of M. Sinimbu's despatch to the Marquis of Abrantes, and of report of Chief of Police to M. Sinimbu, and summary of documents enclosed in the report of the Chief of Police.

12. Copy of reply of the three officers to the report of the Chief of Police.

Your Lordship will observe that the Minister for Foreign Affairs in transmitting to me M. Sinimbu's report expresses no opinion on the affair, but that M. Sinimbu thinks the report of the Chief of Police convincing, and the complaint of Admiral Warren groundless.

Immediately on receipt of the Marquis of Abrantes' note



of the 17th of July, I wrote to him asking for a copy of the evidence taken by the Chief of Police. It was immediately promised, but I did not receive the evidence till late in the evening of the 2nd instant, Saturday, and I should not have received it even then but for my having written pressinglly to M. Sinimbu, and it appears from his reply to me, of which Enclosure 13 is a copy, that no steps had been taken for copying the evidence, and he sends me the original depositions.

I have received these depositions too late to be able to forward translations of them by this packet, or even to act upon them in any way before the packet leaves. Immediately after the departure of the packet they will be communicated to the three officers for any observations they may wish to make on them; and I shall then confer with the Admiral on the whole question, and afterwards with the Marquis of Abrantes, and I shall make a further report to your Lordship by the French steamer leaving this on the 25th instant, which you will receive in the middle of September.

I make the present incomplete report, the Admiral sending a similar one to the Admiralty, for the following reason. The hot weather, and other reasons, may render the Admiral's departure for the River Plate desirable in December, and it may in that case be important for us to receive instructions from Her Majesty's Government in the beginning of November. The preliminary reports now sent may, therefore, facilitate the sending of final instructions by the English packet of October.

I reserve for my next report my own opinion on the question, and will simply say now that the Admiral regards the affair as more serious than that for which he has lately, under a threat of force, obtained satisfaction at Monte Video.

The Brazilian Government do not seem to regard it at all in the same light, and I think it important to explain to your Lordship in detail the apathy and slowness which they have hitherto shown. The Admiral's letter dated the 22nd June was handed by him to me on the morning of Monday, the 23rd, just as I was leaving Rio for a week, under engagements of some standing, to pay some visits, and for change of air on account of my health. On my way out of town I called at the house of the Marquis of Abrantes; and in his absence saw his Secretary. I explained to the latter the



object of my visit, read to him the Admiral's letter, begged him to represent the matter to his chief as urgent, and told him that Admiral Warren particularly wished an early inquiry, as he might be obliged to leave Rio in a few days, and it would be inconvenient to him to find himself compelled to leave the chaplain and the other two officers behind him. I begged the Secretary to state this to the Marquis, and to add that Mr. Eliot would call on his Excellency the next morning before 10, his usual hour of receiving, in order to apply to him officially on my behalf for a full and early inquiry. Mr. Eliot went and placed in the hands of the Marquis of Abrantes the Admiral's letter and its enclosures. His Excellency expressed great concern for what had happened, for the matter had become the talk of the town, and there was a general feeling that the officers had been treated shamefully, and he promised to take the proper steps immediately for an inquiry.

When I had returned to Rio on the 29th June no inquiry had taken place, and no steps had been taken for holding one. The Admiral had, in the meantime, proceeded to Monte Video, leaving the three officers behind him.

I then went, accompanied by the Senior Naval Officer in port, to the Marquis of Abrantes to urge him again to have an immediate inquiry, and enable these three officers to make their statements that they might be free to proceed in a few days to join the Admiral at Monte Video in one of Her Majesty's ships which was going there. He referred me to the Acting Minister of Justice, whom I found with some difficulty, and it was then arranged that the Chief of Police should hold an inquiry, and hear the officers, on the 2nd July.

The Marquis of Abrantes transmitted to me on the 17th the report of the Chief of Police, but not the depositions.

I have already explained that I immediately asked for a copy of the depositions, that they were promised me, and that on the 2nd of August no steps had been taken for having them copied for me. The consequence is that Admiral Warren and myself are prevented from making complete reports by this packet, which leaves Rio seven weeks after the incident.

It appears to me that the Brazilian Government have proceeded with a slowness and indifference quite unsuitable to the gravity of the incident and the serious character of



Admiral Warren's complaints, and quite inconsistent with the first tone and promises of the Minister for Foreign Affairs.

I have, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure 1 in No. 45.

*Rear-Admiral Warren to Mr. Christie.*

"Forte," Rio de Janeiro, June 22, 1862.

SIR,

A most brutal outrage was committed on three officers belonging to Her Majesty's ship "Forte" on the evening of the 17th instant by the guard stationed on the Tijuca-hill, the details of which you will learn from the enclosed copies of the statements of the officers themselves, and I have the honour to request your cooperation in obtaining from the Brazilian Government a searching inquiry into this most atrocious outrage in order that the offenders may be brought to punishment, and ample reparation made for the indignities placed on the national honour, by the brutal assault made on the persons of these officers.

By the above-mentioned statement you will perceive that the officer of the guard was perfectly aware of the rank and nationality of these officers when he submitted them to the indignity of marching into the city as if they had been the worst of criminals, for on the remark of Lieutenant Pringle, he says, "Although you are officers you are only ordinary prisoners."

When brought to the filthy den in which they were confined for some time with the lowest and worst description of prisoners, the official who received them there also stated that he was perfectly aware of their rank and nation.

Even the application of Her Majesty's Consul was not for some time successful in obtaining their removal into a decent place of confinement, and to crown all after having been subjected to this disgraceful treatment for forty hours they are told to go about their business; no inquiry whatever having been gone into. A more outrageous proceeding altogether I have never heard of.

The Captain of Her Majesty's ship "Forte" himself went to the Chief of Police, stated who the officers were, and



pledged himself to produce them when called for ; but that official refused to accede to this request, and does not appear even then to have taken any steps to remove them to a proper place of confinement, although made acquainted by the Captain with their rank and nationality.

When you have perused these details I feel convinced you will agree with me that not a moment should be lost in demanding from the Brazilian Government the most searching inquiry and reparation.

I have, &c.,  
(Signed)

R. L. WARREN.

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Enclosure 2 in No. 45.

*Captain Saumarez to Rear-Admiral Warren.*

“ Forte,” Rio de Janeiro, June 20, 1862.

SIR,

When walking on shore with Captain Henry of the “ Stromboli ” about 5 o'clock P.M., of the 18th instant, I was informed that two officers of Her Majesty's ship “ Forte ” were in prison. I at once went to the Chief of Police, the Consulate being closed, and requested to know if such was the case, and the charge against them, pointing out that one was the Clergyman of the ship, the other a Lieutenant, and requested their immediate release, pledging to produce them at any moment he wished to see them ; he refused, stating they were in for striking the guard, and the depositions would be taken next morning. I pointed out to him the rank of these officers, and more especially as to one being a minister of religion ; but all in vain, he refused in any way to release them. I then requested to be informed who was the next in rank I could see ; he said the Minister of Justice, but even he could not release them.

I then proceeded to the Brazilian flag-ship. The Admiral not being on board, I stated the circumstances and gave the name and rank of these officers, requesting his assistance.

Next morning I proceeded with the Vice-Consul to the Chief of Police, whom we found out, but an order for the release of these officers had been given, and on whom I have called for their depositions, which I beg to annex.

I have, &c.

(Signed) THOS. SAUMAREZ, *Captain.*



P.S.—I may add that these officers were in plain clothes, having obtained permission to go into the country.

(Signed) T. SAUMAREZ.

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Enclosure 3 in No. 45.

*The Rev. G. Clemenger to Captain Saumarez.*

“Forte,” Rio de Janeiro, June 20, 1862.

SIR,

In compliance with your order I have the honour to lay before you a statement of a most unwarrantable and brutal assault made against my person and liberty on the evening of Tuesday 17th June.

When returning from Tijuca to take the “Machambomba” at 7 o’clock for Rio, and passing by a Police guard-house, a sentinel advanced towards me and made a motion with his musket and fixed bayonet. I addressed him in the following words, “Que quiere V.?” He immediately struck me on the chest with the butt of his musket, and made an attempt to stab me, at the same time calling out the whole of the guard, who rushed on me with bayonets and swords, the aforesaid sentry striking me a second time with his musket.

I was then dragged into the guard-room and placed in confinement till the officer of the guard came and asked for an explanation and my address, which I gave him.

During this time Mr. Pringle and Mr. Hornby had been most grossly treated, and afterwards placed in confinement. Several times during the evening I told the officer of the guard who I was.

On Wednesday morning I was placed under an escort of seven soldiers, policemen, and obliged to walk into Rio, though I had requested to be allowed to hire a conveyance, which was refused. On my arrival at the police-station I was ordered to give my name and address, and then was confined in a prison full of men and boys of the lowest grade of society for the space of two hours, but through the intercession of Mr. Tupper was removed to another prison something cleaner than the first; here I remained for one hour and a half. I was then removed to the head police-station and treated with every courtesy requisite.

On Thursday morning at 11 o’clock an officer came into our room, and informed us that we were liberated, without giving



us any information why we had been confined, or what charge had been brought against us.

I have to request that you will have this matter thoroughly investigated, that English naval officers may no more suffer such ignominious treatment as we have.

I have, &c.  
(Signed) G. CLEMENGER.

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Enclosure 4 in No. 45.

*Lieutenant Pringle to Captain Saumarez.*

"Forte," Rio de Janeiro, June 20, 1862.

SIR,

In compliance with your orders I have the honour to submit to you the following account of a most brutal outrage which was committed against my person and liberty by some of the guard at Tijuca Hill at about 6.40 P.M. on Tuesday, 17th June, 1862.

While hastening down to catch the "Machambomba," with Mr. Clemenger, chaplain, and Mr. Hornby, midshipman, I saw Mr. Clemenger accosted by a sentinel. The former stopped, and said, "Que quiere V.?" The words were scarcely uttered, when, in the most unwarrantable manner, the sentry struck him in the chest with the butt of his musket and called for the guard, who immediately hurried out and seized us in a most rough manner and took my stick out of my hand. I then requested them to unhand me; they not doing so I resisted, and attempted to resume my walk, but was overpowered by numbers of police with drawn swords and bayonets, who struck me with them and maltreated me in the grossest manner; I being also struck near the groin with the butt of the sentinel's musket. I was then forced into a prison in the guard-house, where I called for the officer of the guard, who, after some delay, inquired into our case, and asked for our names and address, which we gave in full on two occasions. We explained to him fully the circumstances of the case, and complained to him of the gross treatment we had received; also making him fully aware, as also the rest of the guard, that we were British naval officers. At his request we wrote to the English Consul and to yourself, which letters he promised to forward early on Wednesday morning.

The following morning, Wednesday 18th June, he ordered



us to march down to Rio under an escort. We then asked him to allow us a carriage, the expense of which we offered to defray. He, however, refused ; giving as a reason that although we were officers we were ordinary prisoners. We were then marched down to Rio at 9 o'clock in an ignominious manner under an escort of seven policemen. At the Rio police-office we again gave our names in full, rank, and address, and were then ushered into a filthy den, where were men and boys of the lowest society. At the threshold of this detention-room I asked the official if he were perfectly aware of our rank and country ; he answered in the affirmative, and we went in, where we remained for two hours. The Consul having us removed to a better prison, which was notwithstanding filthy, we were kept there about an hour and a half, when, through the intervention of Mr. Tupper and the Consul, we were removed in a carriage to a barrack in the town and placed in comfortable quarters, where we were well treated.

On Thursday morning, a little before noon, the officer of the guard showed us a letter from the Chief of Police, ordering him to set our bodies at liberty. I then inquired the reason and on what grounds we were liberated, our case not having been heard by a judge or any competent person, and whether we were on remand or bail ; but he afforded me no information further than that we were free.

I also must mention the perversion of truth of which the officer commanding the guard at Tijuca was guilty : firstly, in not forwarding our letters, as he promised to do ; secondly, in his charge against us calling us three unknown foreigners, as we refused to give our names ; this latter being a most direct falsehood, we having, as stated above, given our names, ranks, and addresses on two separate occasions. Through this latter falsehood he was able to get us put into the filthy detention-room of the police when we arrived at Rio.

The charges also, which I heard by an indirect source, will by the above statement, be shown to be most egregiously false.

Hoping that you will take such steps as you consider necessary to obtain redress for this gross outrage offered by Brazilian officials to three unoffending British naval officers, as also to prevent its recurrence.

I have, &c.

(Signed)

ELIOT PRINGLE



## Enclosure 5 in No. 45.

*Mr. Hornby to Captain Saumarez.*

"Forte," Rio de Janeiro, June 20, 1862.

SIR,

Whilst coming down from Tijuca on Tuesday, the 17th instant, in company with Mr. Clemenger, and Mr. Pringle, for the purpose of meeting the "Machambomba," leaving at 7 o'clock, we passed the Tijuca guard-house. The sentry advanced towards us, and Mr. Clemenger, not knowing him to be a police, addressed him with the words, "Que quiere, V. ? The sentry immediately made two or three thrusts at him with his fixed bayonet, and then struck him in the chest with the butt, at the same time calling out for the whole guard, who immediately rushed out on us, took our sticks and Mr. Clemenger's umbrella, and overpowered us and conveyed us into the guard-house by main force, at the same time making free use of the flats of their swords and bayonets. The guard consisted of from twenty to thirty persons. We were then locked up, and remained there till the officer of the guard arrived, when each of us was called out and we explained that we had not the least idea of creating a disturbance, and also told him we were English officers.

We were again shut up for the night, and having written two letters,—one to yourself and the other to the Vice-Consul, —explaining where we were and how we had got there, we were then told that they should be sent immediately, and that they would arrive at their destination at about 9 o'clock next morning.

In the morning we were informed that we were to be removed with a guard to Rio. We offered to pay for a conveyance, or take the "Machambomba," both of which were refused us ; but we were told that if we walked about an hour's walk to another station, we should there get a conveyance to save us the unpleasantness of being marched through the town with a guard of seven police, as we eventually were.

On arriving at the Rio Station, we were asked to sign our names and ranks, which we all did, and were then locked up in the most disgusting den possible, among all the blackguards of the town.

We then managed to send a note to the Consul, asking him if he had received our previous letter, and begging him to



come and demand that, as officers, we should be treated as such and not degraded in the way we were.

The Consul came and had us removed to a place a little better, but still most filthy, and informed us that we should remain there till the Chief of Police came, who we should see.

He came, but we did not see him; however, he gave an order for us to be removed to the State prison, where we were better treated.

I hope, Sir, you will be kind enough to cause an investigation to take place to prevent such proceedings for the future,

I have, &c.

(Signed) GEOFFREY HORNBY, *Midshipman.*

Enclosure 6 in No. 45.

*Acting Consul Hollocombe to Mr. Christie.*

Rio de Janeiro, June 30, 1862.

SIR,

I have the honour to lay before your Excellency the following report of my visit to the Police Office in this city on the 18th instant, the day following the arrest of three officers belonging to Her Majesty's ship "Forte."

On hearing that the Chaplain of the "Forte" was imprisoned, I immediately proceeded to the police station, and there saw that officer, together with two others, confined in the "xadrez" or common lock-up.

The Chief of Police not being then in the office, I called on the Secretary, who informed me that the prisoners referred to had been apprehended for shooting without a license; and that as soon as the Chief of Police returned he would acquaint him of my visit, when he had no doubt they would be set at liberty. The Secretary, immediately I informed him that the prisoners were officers in Her Majesty's navy, ordered them to be removed to another place of confinement, and this I saw effected before I left the station.

The charge brought against these officers, as given to me by the Secretary, appeared so frivolous that I fully expected they would be at once released, and therefore did not call again to see the Chief of Police; but later in the day, on sending to the station, I ascertained that the three officers had been removed to the Quartel dos Permanentes. On the 20th instant I addressed a note to the Chief of Police, asking, for



the information of Captain Saumarez, the reason why these officers had been apprehended, and the nature of the charge made against them; and I have now the honour to enclose a translation of the reply to my note.

I have, &c.

(Signed) THOS. HOLLOCOMBE.

Enclosure 7 in No. 45.

*Senhor da Gama to Acting Consul Hollocombe.*

(Translation).

Police Office, Rio de Janeiro, June 21, 1862.

SIR,

I have to acknowledge the receipt of your despatch dated yesterday, and in reply I have to state that the three officers belonging to the frigate "Forte," alluded to therein, were taken prisoners on the 17th instant by the ensign commanding the detachment at Tijuca for having attacked the sentry of that detachment and for attempting to force an entry into the respective guard-house.

God preserve, &c.

(Signed) AGOSTINHO LUIZ DA GAMA.

Enclosure 8 in No. 45.

*The Marquis of Abrantes to Mr. Christie.*

Rio de Janeiro, le 17 Juillet, 1862.

Mon cher Monsieur,

Sous ce pli j'ai l'honneur de remettre à votre Excellence les documents que vous avez bien voulu me confier relatif aux trois officiers de la frégate "Forte," ainsi que la copie des informations que M. de Sinimbu m'a transmises sur cette affaire.

Je profite, &c.

(Signé) MARQUIS OF ABRANTES.

Enclosure 9 in No. 45.

*Senhor Sinimbu to the Marquis of Abrantes.*

Ministry of the Affairs of Justice,  
Rio de Janeiro, July 9, 1862.

(Translation.)

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I have the honour to transmit to your Excellency, for your



Excellency, for your information and that of Her Britannic Majesty's Minister, the copy of a Report made to me by the Chief of Police of this capital concerning the imprisonment of some officers of the English frigate "Forte," by a detachment of police stationed at Tijuca, and from this document your Excellency will see that the reasons on which the Commander-in-chief of that frigate founds the representation which he addressed to the Minister of his nation are insufficient.

I avail, &c.,

(Signed)

JOAO LINS VIEIRA CANSANSAO DE SINIMBU.

Enclosure 10 in No. 45.

*Senhor de Gama to Senhor Sinimbu.*

Police Office, Rio de Janeiro, July 5, 1862.

(Translation.)

MOST ILLUSTRIOUS AND EXCELLENT SIR,

The despatch of the 28th of June last, ordering that in view of the representation addressed by Admiral Warren, Commander-in-chief of the English frigate "Forte," to Her Britannic Majesty's Minister at this Court, against the conduct of the soldiers of the police detachment of Tijuca, on the afternoon of the 17th, towards some officers of the said frigate, who, after having been ill treated by the said soldiers, were detained during that night in the guard-house, and were on the next day sent to the city, I should inform your Excellency, on this incident, ordering a minute investigation into the facts, I was anxious personally to make the most searching inquiries on the subject, interrogating, in the presence of those officers, the commander and soldiers of the police detachment of Tijuca, as well as two other persons, who might furnish some elucidations of these facts.

From these interrogatories, which I have the honour to transmit, in original, to your Excellency, it results as follows :—

1. That on the afternoon of the 17th of June last, three foreigners, having dined at the hotel of Robert Bennett, on the Tijuca Hill, where they had two bottles of Bordeaux wine, and half a bottle of Cognac, were proceeding to the city.
2. That on the road the said foreigners annoyed the passers —



by, attempting to unhorse an equestrian who was going home quietly, violently seizing the reins of the horse.

3. That at 7 o'clock in the evening the said strangers arrived at the station of the detachment, and going up the steps before the house, approached the sentinel there posted, one of them, named Clemenger, asking him, What are you doing there? And upon the sentinel telling them to retire, they broke out into threats with the sticks which they carried, threats which they put into execution, and began to strike the sentinel, who defended himself with the stock of his gun, without using his bayonet, in order not to wound them, and called the guard.

4. That the guard, coming out at the call of the sentinel, as also the ensign commanding it, all gentle measures were used for the apprehension of the three foreigners, who opposed the greatest resistance, laying hold of the soldiers, and falling on the ground with them, until at last they were taken, for which purpose the use of moderate force was indispensable.

5. That on the three foreigners being deposited in the guard-house, the ensign in command endeavoured to learn their names and descriptions, and, as they appeared ignorant of the Portuguese language, he employed the Austrian, Rodolph Müller, who lives in the neighbourhood, to put questions which they did not choose to answer, showing themselves haughty and scornful.

6. That notwithstanding their not choosing to give their names and conditions, the three strangers were treated by the commander of the detachment with the greatest kindness and urbanity, not only furnishing them with writing paper and playing cards, at their request, but also placing at their disposal his own bed, the only one in the guard-house.

7. That although these three foreigners were not completely drunk, they appeared not to be in full possession of their mental faculties.

8. That on the following day the three strangers were sent to this city, without their having informed the commander of the detachment of their ranks as English naval officers, nor even given a hint on the subject. On the arrival of these three foreigners in this city, they were placed, not in the slaves' prison, but in that of freemen, where there might also be persons of colour, as, according to our legislation, there is no difference of prison on account of such condition.



As soon as it was known that these three individuals belonged to the English navy, they were immediately removed to another special prison, and upon Her Britannic Majesty's Vice-Consul declaring that they were officers of the English frigate "Forte," I sent them without loss of time to the barracks of the police corps, as appears from the official Report (copy No. 1), accompanied by the captain commanding the company of foot soldiers. At the same time I caused an order to be sent to the Sub-Delegate of the parish of Engenho Velho (copy No. 2), at whose disposal the English officers were in prison, to furnish me, immediately, with a circumstantial report of the imprisonment, and to transfer them to my disposal.

Having received on the 19th of June, before 9 o'clock in the morning, the official reply of the Sub-Delegate (copy No. 3), and finding that there was no ground for instituting proceedings, as the acts of the English officers were merely the result of the state in which they were at the time, I at once gave orders for their discharge, as appears by the copy No. 4; not having done it before, as solicited by Captain Saumarez, because I had not yet received the official report of the Sub-Delegate, transferring them to my disposal, and ignorant of the cause of their imprisonment.

God preserve, &c.

(Signed)

AGOSTINHO LUIS DA GAMA.

Enclosure 11 in No. 45.

*Précis of Documents connected with Arrest of Officers of the "Forte."*

(Translation.)

No. 1. June 18, 1862. A. L. de Gama, Chief of Police, to M. P. Drago, Commandant of City Police.—Requests that George Clemenger, Eliot Pringle, and Geoffrey Hornby, may be kept in custody at disposal of Sub-Delegate of Engenho Velho.

No. 2. June 18. F. J. de Lima, Secretary of Chief of Police to Sub-Delegate of Engenho Velho.—The Chief of Police calls for a report on imprisonment of G. Clemenger, &c. and has them transferred to his own superintendence.

No. 3. June 19. Sub-Delegate of Engenho Velho to Chief of Police.—Enclosés report of officer commanding



detachment to Tijuca: transfers prisoners to the Chief of Police.

No. 4. June 19. Chief of Police to Commandant of City Police.—Directs that G. Clemenger, &c., be set at liberty.

No. 5. Enclosure to No. 3, June 18. Officer commanding detachment at Tijuca to Sub-Delegate of Engenho Velho.—I make known to you that I have ordered to be kept in the prison of the police, waiting your orders, three Englishmen who would not give their names, for attacking the sentry of this guard-house, and trying to enter it forcibly, it being necessary to use some force to put them in the prison.

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Enclosure 12 in No. 45.

*Reply of Mr. Clemenger, Chaplain, Lieutenant Pringle, and Mr. Hornby, Midshipman, of the "Forte," on the Statement of the Chief of Police relative to an attack made on those officers by the Police stationed on Tijuca Hill.*

Chief of Police states:—1. "That on the afternoon of the 17th June last, three foreigners, having dined at the hotel of Robert Bennett, on the Tijuca Hill, where they had two bottles of Bordeaux wine and half a bottle of Cognac, were proceeding to the city."

Officers' reply:—We beg to state that we arrived at the hotel at 3 P.M., where we had a glass of brandy and seltzer water. About an hour and a half after this we had dinner, drinking two bottles of claret. This comprised the whole of the refreshments we partook of, our hotel bill amounting to the sum of ten milreis.

Chief of Police:—2. "That on the road the said foreigners annoyed the passers by, attempting to unhorse an equestrian who was going home quietly, violently seizing the reins of his horse."

Reply:—That on the road we annoyed no passers-by, nor did we attempt to unhorse an equestrian.

Chief of Police:—3. "That at 7 o'clock in the evening the said strangers arrived at the station of the detachment, and going up the steps before the house, approached the sentinel there posted, one of them, Clemenger, asking him, 'What are you doing there?' And upon the sentinel telling them to



retire, they broke out into threats with the sticks which they carried, threats which they put into execution, and began to strike the sentinel, who defended himself with the stock of his gun, without using his bayonet, in order not to wound them, and called the guard."

Reply:—At 7 o'clock in the evening we were passing the police station, but did not ascend the steps before the house; that Mr. Clemenger did address the sentry in the following words, 'Que quiere V.?' on the sentry rushing towards the steps; that no threats whatever were used, nor sticks. Mr. Clemenger had only a light umbrella in his hand. We did not strike the sentry, nor in any way give the slightest provocation for the cowardly manner in which the sentry struck Mr. Clemenger with the butt of his musket, and for the attempts with the point of his bayonet. The sentry did call the guard.

Chief of Police:—4. "That the guard coming out at the call of the sentinel, as also the Ensign commanding it, all gentle measures were used for the apprehension of the three foreigners, who opposed the greatest resistance, laying hold of the soldiers and falling on the ground with them, until at last they were taken, for which purpose the use of moderate force was indispensable."

Reply:—That the guard did turn out, but the Ensign commanding did not appear until after we had been incarcerated in the Tijuca guard-room about ten minutes; that far from the guard using gentle measures, they rushed out with drawn swords and bayonets. No resistance whatever was made by two of the officers, and by the third only after he had received gross treatment. We were beaten with the backs of swords and drawn bayonets, as also several times by the butts of the sentry's musket; and that even after the third officer had been secured, they continued their brutal treatment.

Chief of Police:—5. "That on the three foreigners being deposited in the guard-room, the Ensign in command endeavoured to learn their names and descriptions; and as they appeared to be ignorant of the Portuguese language, he employed the Austrian, Rudolph Muller, who lives in the neighbourhood, to put them questions, which they did not choose to answer, showing themselves haughty and scornful."

Reply:—On our being deposited in the guard-house the



Ensign then appeared for the first time, and asked us our names, which we gave him verbally and in writing. An Austrian did interpret for us, and fully explained to the Ensign our rank and profession, and we answered all his questions.

Chief of Police:—6. "That notwithstanding their not choosing to give their names and conditions, the three strangers were treated by the Commander of the detachment with the greatest kindness and urbanity, not only furnishing them with writing paper and playing cards at their request, but also placing at their disposal his own bed, the only one in the guard-house."

Reply:—We beg to state most positively that we did give our names and professions several times to the police officer and interpreter. We were, in some respects, treated with civility by the officer of the guard, inasmuch as he provided us with paper, on which we wrote two letters, one to Captain Saumarez of the "Forte," the other to the British Consul, and which the officer of the guard promised to forward; but on this point he broke his word, and the letters were never received by those to whom they were addressed. He also provided a pack of cards, and was kind enough to offer a bed to one of the officers.

Chief of Police:—7. "That although these three foreigners were not completely drunk, they appeared not to be in full possession of their mental faculties."

Reply:—We consider it derogatory to us as officers to be forced into the statement that we were not drunk, but in full possession of our mental faculties.

Chief of Police:—8. "That on the following day these three strangers were sent to the city without their having informed the Commander of the detachment of their rank as English naval officers, nor even given a hint on the subject. On the arrival of these three foreigners in this city they were placed not in the slave prison, but in that of free men, where there might also be persons of colour, as, according to our legislation, there is no difference of prison on account of colour, but only on account of such condition.

"As soon as it was known that the three individuals belonged to the English navy they were immediately removed to another special prison, and upon Her Britannic Majesty's Vice-Consul declaring that they were officers of the English



frigate the 'Forte,' I sent them, without loss of time, to the barracks of the Police Corps, as appears from the official Report (copy No. 1), accompanied by the Captain commanding the company of foot soldiers. At the same time I caused an order to be sent to the Sub-Delegate of the parish of Engenho Velho (copy No. 2), at whose disposal the English officers were in prison, to furnish me immediately with a circumstantial account of their imprisonment, and to transfer them to my disposal.

"Having received on the 19th of June, before 9 o'clock in the morning, the official reply of the Sub-Delegate (copy No. 3), and finding that there was no ground for instituting proceedings, as the acts of the English officers were merely the result of the state in which they were at the time, I at once gave orders for their discharge, as appears by Copy No. 4, not having done it before, as solicited by Captain Saumarez, because I had not yet received the official report of the Sub-Delegate transferring them to my disposal, and was ignorant of the cause of their imprisonment."

Reply:—The following day we were sent to the city on foot, under an escort of seven police; and it is needless to state that the Ensign of Police was fully aware of our rank as English naval officers whilst enforcing this unnecessary proceeding, we having offered to pay for a conveyance to the city. On arriving at the city prison, we again gave in writing our names and ranks in full to an official; and, before entering the filthy detention-room, we asked the official who showed us in if he were fully aware of our rank, and he answered in the affirmative. After the lapse of two hours we were removed to another prison, less filthy than the last, where we remained one hour and a half. We would observe that the subsequent fabrication of the charge of drunkenness brought against us was not mentioned in the original charge of Alféres Amaral, of which we have a copy. It merely appears to be brought up as a means to give colour to their false accusations, and screen their cowardly proceedings; also the grave charge of attacking a sentry, &c., being made against us, while no grounds were found for instituting proceedings.

And we declare that our replies, as above given, are true, and that we are ready to swear to the same if called on to do so.



Dated on board the "Forte," at Rio de Janeiro, 4th August, 1862.

(Signed) GEORGE CLEMENGER, *Chaplain*.  
ELIOT PRINGLE, *Lieutenant*.  
GEOFFREY HORNBY, *Midshipman*.

Approved, and signed in my presence, August 4, 1862.

(Signed) T. SAUMAREZ, *Captain*.

Enclosure 13 in No. 45.

*Senhor Sinimbu to Mr. Christie.*

Calète, le 2 Août, 1862.

MON CHER M. CHRISTIE,

J'étais persuadé qu'on vous avait déjà envoyé les dépositions prises à la police relatives au sujet des officiers de la frégate "Forte," mais sachant par votre lettre qu'on ne l'a pas fait je m'empresse de vous les transmettre même en original afin de satisfaire à votre désir.

Je vous demande pardon de ne vous avoir pas répondu plus tôt, mais vous savez les occupations dont je suis actuellement chargé.

(Signé) J. C. SINIMBU.

No. 46.

*The Secretary to the Admiralty to Mr. Layard.—(Received September 4.)*

Admiralty, September 3, 1862.

SIR,

I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Her Majesty's Secretary of State for Foreign Affairs, a copy of a letter, dated the 6th ultimo, from Rear-Admiral Warren, with its enclosures in original, reporting the particulars of a collision between three officers of Her Majesty's ship "Forte" and a police guard stationed in the neighbourhood of Rio de Janeiro in the month of June last.

I am, &c.

(Signed) W. G. ROMAINE.



Enclosure in No. 46.

*Rear-Admiral Warren to the Secretary to the Admiralty.*

"Forte," Rio de Janeiro, August 6, 1862.

MY LORD,

I regret being called on to report to their Lordships an unfortunate collision, which took place on the 18th June between three officers of my flag-ship and a police guard stationed on the Tijuca Hill near this city, and in which the police appear to have behaved in a very cowardly and brutal manner, using unnecessary violence when taking these officers in charge, and subsequently subjecting them to the indignity of marching through the public streets to goal, after being made acquainted with their names and rank.

Immediately I received a report of the circumstance from Captain Saumarez of the "Forte," who transmitted to me the statements of the three officers, I communicated the same to Mr. Christie, Her Majesty's Minister, and urged him to lose no time in having the matter thoroughly investigated, with a view of taking the necessary steps to obtain satisfaction for the gross insult offered to British officers.

On the 2nd instant Mr. Christie informed me that he had not yet received the depositions of the witnesses who were examined before the police authorities, but merely the statement of the Chief of Police as enclosed.\* He also acquainted me that he should report the case as it at present stands to Earl Russell; consequently I consider it advisable to put their Lordships in possession of all the information I have received on this question up to the present time.

I have, &c.,

(Signed) RICHARD L. WARREN.

No. 47.

*Mr. Layard to the Secretary to the Admiralty.*

Foreign Office, September 5, 1862.

SIR,

With reference to your letter of the 3rd instant, I am directed by Earl Russell to request that you will state to the

\* Enclosure 10 in No. 45.



Lords Commissioners of the Admiralty: that his Lordship has received a report from Her Majesty's Minister at Rio, regarding the collision between the officers of the "Forte" and a Brazilian police guard; but as Mr. Christie has stated that he will send further details by the next opportunity, Lord Russell will wait further information before pronouncing an opinion as to the course to be pursued in this matter.

I am, &c.

(Signed) A. H. LAYARD.

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No. 48.

*Mr. Christie to Earl Russell.—(Received September 22).*

Rio de Janeiro, August 23, 1862.

MY LORD,

With reference to my despatch of the 7th instant, on the ill-treatment of officers of Her Majesty's ship "Forte," I have now the honour to enclose a translation of the evidence taken by the Chief of Police, accompanied by some marginal observations of my own; also a copy of a statement made by the three officers after reading the evidence; and a copy of a note dated the 19th instant which I have addressed to the Marquis of Abrantes in transmitting to him the statements of the officers.

A few days before I wrote this note to his Excellency I called on him by appointment to discuss the whole question with him. Besides a special appointment, made two days before, it had been some time since agreed, on his suggestion, that after I had read the evidence taken by the Chief of Police, I should see him and discuss the question with him. But his Excellency was so little prepared for a discussion when I went to him on the 17th instant, that he immediately stated that he had not read any of the documents which he had transmitted to me. I therefore told him that I thought this grave outrage had merited earlier attention; that it was, of course, useless for me to proceed if he was entirely unprepared; that it was my duty to make a full report to your Lordship by the French steamer on the 25th; that I would furnish his Excellency with copies of the officers' replies; and that I sincerely hoped that the Brazilian Government would profit by the interval which must elapse



before I could receive instructions from your Lordship to offer proper satisfaction.

I have carefully discussed the whole question with Admiral Warren, and our opinions are the same.

We both think that the guard, as is too often the case in these countries, brutally attacked the Chaplain without taking time to understand him; that the three officers were afterwards treated with unnecessary and shameful violence; that after their names and professions were known they were treated with gross indignity; and that these officers are to be believed, and that the defence is a trumped-up story.

Your Lordship will observe that only one of the witnesses could by possibility know anything of what happened up to the moment when the guard turned out. So far, indisputably, there are the declarations of the three officers to be set against that of the sentry, a man of the lowest class.

The officers declare that the Ensign did not appear till about ten minutes after they were imprisoned. If he was absent from the guard-room he was neglecting his duty, and became liable to punishment; and it is not surprising that he should not admit this, or that the soldiers under him should agree with him in declaring that he turned out with the guard.

The words put into the Chaplain's mouth by the sentry and by four other witnesses who were present, namely, "*Que figura faz vossé?*" are a Portuguese slang phrase, which the Chaplain, who knows no Portuguese, had never heard of. The words he used were Spanish, "*Que quiere V.?*" &c., "*What do you want?*"—a very natural and inoffensive reply to a loud hail from a sentry.

None of the officers speak Portuguese or attempt to speak it. When they tried to explain themselves later in Spanish, of which they have learnt something in the River Plate, it is very likely that the witnesses might take their Spanish for Portuguese.

The Austrian witness, whose statements are in flat contradiction to those of the officers, is an unknown man, of so little consideration that neither the Ensign nor any of the soldiers knew his name, though he lives in the immediate neighbourhood.

I have conversed with all the three officers on this subject, and feel satisfied of the truth of their statements.

They had started early in the morning on a long walking



excursion, and it was already dark when they reached the Tijuca guard-house on their return. The sentry was probably asleep, and hearing loud voices close to the guard-house called out, and without waiting to understand a foreigner, proceeded, as is too much the custom of the low Brazilian soldiers, to administer blows and bring out his arms.

I have pointed out to the Marquis of Abrantes how the delay which took place before any inquiry was instituted gave time for the concoction of a false story in defence.

Admiral Warren agrees with me in thinking that the Ensign should be dismissed, and he also thinks that some punishment should be inflicted on the corporal, who, the officers say, distinguished himself particularly by his violence in the ill-treatment administered after the guard turned out. But the officers have not stated this in writing. I would suggest that some punishment should in any case be inflicted on the sentry with whom this disturbance began.

The Admiral agrees with me in thinking that the Brazilian government should be required to publish a statement expressing their regret for what has happened, and animadverting on the conduct of the official who received the officers at the Rio police-station, and on the Chief of Police who in his Report to the Minister of Justice imputed intoxication to the officers without one particle of evidence.

I should observe that the officers were not in uniform, having received permission from the Captain to be in plain clothes, as they were going into the country. But I submit that, as soon as they declared that they were naval officers, inquiries should have been made, if their statements were not believed, before subjecting them to the ill-treatment which followed their imprisonment. The Midshipman, Mr. Hornby, wore a waistcoat with naval buttons.

I have, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure 1 in No. 48.

*Record of Replies to Questions put to Braz Cupertino do Amaral,  
Ensign of the Police Corps of this Capital.*

(Translation.)

On the 2nd day of July, 1862, in this capital, and in the police-office, came and appeared before Dr. Agostinho Luis da



Gama, Chief of Police, and the undersigned Clerk of the Court, Braz Cupertino do Amaral, Ensign of the police corps of this city; and the Chief of Police then and there read to him a despatch from Admiral Warren, Commander-in-Chief of the English frigate "Forte," in which he complains of his conduct towards several officers of that frigate, who were arrested by the detachment under his command, and in order that he might explain the facts which constitute the complaint; and the said Ensign deposed as follows:—

That at seven o'clock in the evening of the 17th of last month, three foreigners were coming down from Tijuca, disputing on the road with the passers-by, and with the patrol, who at that time were going their rounds, pointing at them with the sticks they carried, and using threats. That on approaching the detachment commanded by the deponent, they met a person on horseback whom they stopped, checking the bridle, and were on this occasion abused by the individual, who went on his way.

That on their arrival at the guard-house of the detachment, which is situated a little way from the road, they ascended the steps of the house, and approaching the sentinel, one of them, who I afterwards knew to be named Clemenger, said to the sentinel in Portuguese, "What are you doing there?" ("Que figura faz vossé ahi?" or "What part are you playing there?") And on the sentinel desiring them to go away, the said Clemenger said that "Brazilian soldiers were only fit for being held by the trowsers and thrown away," and immediately raising their sticks they began to beat the sentinel, who, seeing himself thus attacked, called out the guard, and fixed his bayonet, but through fear of wounding any of these strangers he defended himself with the butt-end of his musket; that when the guard and he (the deponent) had turned out,\* they endeavoured to arrest the persons of those foreigners, who continued to resist, and it becoming necessary to employ the butt-ends of their muskets for that purpose, they did so by order of the deponent. That when arrested they were placed in the guard-house prison, where there were no other prisoners at the time, and after being shut up, they continued to talk and throw everything about that was in the room,

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\* Up to this moment, according to the Ensign's own confession, he has been relating what he did not see. But the officers say that this Ensign did not appear till about ten minutes after they had been imprisoned in the guard-house.—W. D. C.



and to make a great noise. That on the deponent going to them and requesting them not to act in such a manner, and to tell him their names, they pretended not to understand the Portuguese language, and continued to behave in the same manner; that the deponent meanwhile sent to call a German, who resides near the guard-house, to speak to them, who, on arrival, spoke in French to the shortest, now known as a lieutenant, requesting him to tell their names; and on this one speaking to the tallest, who we now know is a chaplain, addressed himself to the deponent with their names written on a paper, but the said chaplain hesitated to deliver it, tore up the paper and threw it on the floor. That he does not know the name of the interpreter, and only knows that he resides on the same hill, in a house next to an individual known by the name of "The Commander." That the German told the deponent that the answers given by the strangers to whom he spoke were insulting to the deponent and the detachment. That the prisoners continuing to be turbulent, and principally the chaplain, they were separated, two of them being left in the prison, and the chaplain removed to a room which served as a refectory, and thus they passed the night; and on the following morning, at about eight o'clock, they were sent under escort of seven soldiers to the city prison, accompanied by a report to the respective Sub-Delegate, and on foot, because there were no orders to forward prisoners in any other manner. That not one of these individuals under arrest declared that he was a naval officer, nor could the deponent, from their behaviour, be convinced that they were such. That on the occasion of their attack upon the sentry, and during their subsequent conduct in prison, they showed that they were elated from excessive use of spirituous liquors; one of them arrived carrying a metal flask strung across his shoulder,\* which contained that description of drink. That all the three arrived dressed in plain clothes, and without any signs of being officers, or of belonging to the navy, nor did they make any declaration to this deponent, but it is true that they asked for paper and playing cards, which on being given to them the chaplain wrote a note to the Consul, and sealed it, which was not forwarded for want of the means of conveyance. On this

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\* This metal flask was an opeta-glass slung over the Chaplain's shoulder.—W. D. C.



deponent being asked whether he remembered the name of the soldier who was on duty as sentry, he answered, that his name is Manoel Luis Teixeira. On his being asked how many soldiers answered to the call of the sentry in order to secure the foreigners, he replied they were about eight, and that he remembered that among the number were the soldiers Britto, Albino, Domingos, Pereira, Parente, and the Quartermaster Gonçalves.

(Signed)

ANTONIO LUIS XAVIER DE MELLO, *Clerk.*

AGOSTINHO LUIS DA GAMA.

BRAZ CUPERTINO DO AMARAL, *Ensign.*

*Deposition of the Police Soldier Manoel Luis Teixeira.*

On the same day hereinbefore written the soldier of the police corps, Manoel Luis Teixeira came and appeared before the Chief of Police, and by virtue of the questions put to him, he answered as follows:—

That on the 17th of last month, at about seven o'clock in the evening, he (the deponent) being on duty as sentry at the door of the guard-house of the detachment of Tijuca, he saw three individuals descend the hill, who appeared to be foreigners, ill-clad, who, meeting a passer-by on horseback going up, seized the bridle and made the horse stop, but the horseman went shortly on his way, after abusing them on account of their behaviour. That they then proceeded to the guard-house, and went up the steps in front, and the tallest of them asked the deponent what he was doing there? To which he replied, that that was a guard-house, and that if they had no business there they were to retire. To which that individual retorted, that "Brazilian soldiers are a miserable set, and were to be held by the trowsers and well kicked;" accompanying that saying by endeavouring to lay hold of his (the deponent's) leg, upon which the other two companions of the aggressor, armed with sticks, attacked the deponent, who, in order to defend himself from the former, hit him with the butt-end of his gun, and fixed on his bayonet against the other two, calling out the guard, when the Commandant and soldiers of the detachment came out to effect the imprisonment of those strangers, who did not choose to surrender. That after their imprisonment, the



Commander of the detachment sent an individual who speaks French or Spanish to ask them their names, and the shortest of them wrote the names on a paper, but as he was going to deliver it to the Commander, the tallest of them took the paper from him and tore it up. That when those individuals addressed the deponent they spoke in Portuguese, and did not declare that they were officers. That when attacked he was acting as sentry inside the building, and that when secured the three strangers were placed in the guard-house prison, where they passed the night, and were on the following morning sent to the prison of this department, he (the deponent) forming one of the escort.

(Signed)

ANTONIO JOAQUIM XAVIER DE MELLO, *Clerk.*

AGOSTINHO LUIS DA GAMA.

MANOEL LUIS TEIXEIRA.

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*Deposition of the Quarter-master of the Police Corps, Joao Goncalves da Silva.*

And on the same day hereinbefore written, came and appeared the Quarter-master of Police Corps, Joao Goncalves da Silva, who, by virtue of the questions put to him by the Chief of Police, replied as follows :—

That he (the deponent) forming a part of the detachment at Tijuca, on the 17th of last month, three strangers, at about seven o'clock at night, clad in plain clothes, approached the guard-house, and the tallest of the three, addressing the sentry, asked him what he was doing there? and upon the sentry telling him that that was a guard-house, the said individual, raising the stick which he carried,\* attacked the sentry, for which reason the latter repelled him with the butt-end of his musket, and called out the guard, when the Ensign commanding the detachment, he (the deponent), and the rest of the soldiers forming it came out,† and proceeded to arrest the aggressors, who, after resisting, were locked up in the prison of the guard-house, where they passed the night, and were on the following day removed to the

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\* He had no stick, only an umbrella ; but this witness is describing what he did not see.—W. D. C.

† This Quartermaster could know nothing of what occurred of his own knowledge up to this moment.—W. D. C.



prison of the police in this city, and on foot, because there was no order to conduct the prisoners in a coach, he (the deponent) forming part of the escort. That when those strangers were in the prison, the Commander of the detachment asked them to tell their names, and the tallest of them having written them on a paper did not choose to deliver it to that officer, but tore it up and threw it away.

(Signed)

ANTONIO JOAQUIM XAVIER DE  
MELLO, Clerk.  
AGOSTINHO LUIS DA GAMA.  
JOAO GONCALVES DA SILVA.

*Deposition of the Soldier of the Police Corps, Manoel Parente Ribeiro.*

And on the same day hereinbefore written, came and appeared the soldier of the police corps, Manoel Parente Ribeiro, who by virtue of the questions put to him by the Chief of Police replied as follows :—

That he was not present at the imprisonment of the three Englishmen, because he was away patrolling at Tijuca, but that on his return to the detachment after 11 o'clock at night, he heard those individuals making a great noise in the prison : the most excited of them was the tallest and bald-headed, who used scornful expressions about the soldiers and nation. That when he went on his rounds he met with them on the road, and that the tallest of them, the same who was the most troublesome in the prison, pointed to the patrol with his stick ; but that the deponent seeing that they were tipsy, the patrol passed, leaving them behind. That on the deponent's return to the guard-house, his companions told him that those strangers were imprisoned for having addressed the sentry, and asked him what he was doing there ; and the sentry having replied that that was a guard-house and desired them to retire, one of them retorted, that "the soldiers of Brazil were a miserable set, and were to be held by their trowsers and thrown away," accompanying that language with threats.\* That the sentry had defended himself with the butt-end of his musket and called out the guard, upon which the Com-

\* All this is confessedly hearsay evidence.—W. D. C.



mander of the detachment and the soldiers having come out and endeavoured to arrest the aggressors, the tallest of them struggled with the soldier Albino, wrenched the small brush from his uniform, tearing the latter, and was finally placed with the others in the prison, where they passed the night, without declaring that they were officers. The deponent further declared that the stranger who struggled with the soldier Albino is the one whom he now recognizes as the Lieutenant, and not the tallest who is said to be the Chaplain.† That all of them were in plain clothes, without any signs whereby they might be known as officers. That on the following day they were placed in the city prison, having been escorted on foot from Tijuca.

(Signed.)

ANTONIO JOAQUIM XAVIER DE  
MELLO, Clerk.  
AGOSTINHO LUIS DA GAMA.  
MANOEL PARENTE RIBEIRO.

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In continuation, Clemenger, Chaplain; Pringle, Lieutenant; and Hornby, Midshipman of the English frigate "Forte," being present, the Chief of Police caused to be read to them the declarations made by the officer and soldiers, translated from the Portuguese into the English language by the sworn interpreter, Joao Baptista Cosmelli, and they all maintained the correctness of the remonstrance made by Admiral Warren, it being a true narration of the facts; and in regard to the declarations read to them, that they contained inaccuracies in some parts, and in others were contrary to the truth; that they had told the officer that they belonged to the "Forte" frigate, one of them being an officer, another being a midshipman, and another a chaplain, saying it in Spanish, which was well understood by the officer, and subsequently in French to a German who was called by that officer to serve as interpreter. That it is true they were not in uniform, but that besides the declarations they had made, the midshipman had on a waistcoat with anchor buttons. That they were passing peaceably when the sentry who was about six feet distant from them, called to them, and on their approaching

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† How could he know which struggled with Albino, as he was not present?—W. D. C.



the place where the sentry stood, they asked him what he wanted; this being followed by a thump, without the sentry having stirred from his post, when he called out the guard, and a number of soldiers immediately came out, who beat them with their swords and arrested them without any opposition on their part; that on the appearance of the other soldiers, the sentry came down into the road and gave a second blow with the butt-end of his gun. That even after being in prison the officer was there beaten by the soldiers, and that the one who most distinguished himself in that aggression wore two stripes on the arm of his uniform, and that they could single him out again on seeing him. That when they were ordered to come to the city they proposed being sent in the "machambomba" (omnibus), they paying the expense, but that they met with a refusal; that this is the truth: that they were not intoxicated, because they had only drunk at dinner two bottles of Bordeaux wine; that they brought no flask of spirits with them, but only a telescope which was taken for a flask. That the declarations which relate to the Chaplain, and which assert that he carried a stick, are inaccurate, because he only carried an umbrella, and that it was the other two who carried sticks; that the Lieutenant besides his walking-stick carried another stick which he had bought on the road; that the Lieutenant was behind the others when his companions reached the sentry, and that on his approaching he was also assaulted. And when these replies were read to them by the interpreter, finding them correct, they affixed their signatures hereunto along with me the Clerk, the Chief of Police, and the interpreter.

(Signed)

ANTONIO JOAQUIM XAVIER DE  
MELLO, Clerk.

AGOSTINHO LUIS DA GAMA.

GEORGE G. W. CLEMENGER, Chaplain  
of Her Majesty's ship "Forte."

GEOFFREY HORNBY, Midshipman of  
Her Majesty's ship "Forte."

JOHN ELIOT PRINGLE, Acting Lieu-  
tenant, of Her Majesty's ship "Forte."

JOAO BAPTISTA COSMELLI, Interpreter.



*Deposition of Robert Bennett.*

On the 4th day of July, 1862, came and appeared before the Chief of Police in his office in this city, Robert Bennett, a native of England residing at Tijuca, who, by virtue of the questions put to him by the Chief of Police, replied as follows:—That one day of the last month, perhaps a fortnight ago, he the deponent being at home, saw three individuals passing in front of his house, who appeared to be Englishmen, singing merrily, and returning from his hotel where they had dined; and that on the following morning, learning that they had been imprisoned on the preceding evening for having quarrelled with the guard at Tijuca, he asked the manager of his hotel what liquors they had been served with, when he was told that the three had had two bottles of Bordeaux wine and half a bottle of cognac: he, the deponent, not knowing whether the said three Englishmen had taken any other liquor in any of the other inns between his hotel and the guard-house.\*

(Signed)

ANTONIO JOAQUIM XAVIER DE  
MELLO, Clerk.  
AGOSTINHO LUIS DA GAMA.  
ROBERT BENNETT.

*Deposition of Rodolph Müller.*

And at the same place, and on the same day last before-written, came and appeared Rodolph Müller, a native of Austria residing at Andarahy pequeno (Tijuca), and by virtue of the questions put to him he deposed as follows:—That, on the night of the 17th of June last he, the deponent being at home, was called by the Ensign commanding the detachment at Tijuca to go and speak with him; and on his reaching the guard-house, that officer told him that three Englishmen, then present, had been made prisoners for having wanted to beat the sentinel, and as they appeared to be ignorant of the Portuguese language he requested the deponent to act as interpreter, and to tell them the reason of their imprisonment by competent authority, and to demand their names. That

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\* How could he know what they did or did not take, elsewhere? This is an impertinent insinuation.—W. D. C.



the deponent complying therewith, and having explained to them his position, they answered him crossly without declaring their ranks as officers of the English navy; that they afterwards called for beds to sleep on, and being told by the commanding officer, through the deponent, that there were none, but that he would voluntarily cede his own to them, they refused to accept it because it could not accommodate all the three. That he observed the three Englishmen not to be in their perfect senses, it appearing to him that they had drunk too much, the tallest of them being the most disorderly and unreasonable.

(Signed)

ANTONIO JOAQUIM XAVIER DE  
MELLO, Clerk.  
AGOSTINHO LUIS DA GAMA.  
RODOLPH MULLER.

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*Deposition of Domingos José da Silveira, Corporal of the Police Corps.*

On the same 4th of July, 1862, in the police-office of this city, came and appeared before the respective Chief of Police, Domingos José da Silveira, a corporal in the police corps, and by virtue of the questions put to him, he replied as follows : —That on the 17th of June last, at half-past 7 at night, this deponent being inside the guard-house at Tijuca, heard the sentry calling out the guard, and that on coming out with the other soldiers, he saw three strangers wrestling with the sentry, trying to throw him over the parapet on which he stood; that he, the deponent and the soldiers endeavoured by fair means to separate the strangers without any employment of force, but that their efforts proving useless, as the strangers showed themselves desperate, violently repelling the soldiers and struggling with them, so much so that one of them, not the tallest, seized the deponent and threw him down, from which fall he was wounded in the middle finger of his right hand, the scar of which still exists. That finally the detachment having succeeded in arresting those three foreigners, they were placed in a room which serves as a refectory. That after the imprisonment of the strangers, they were treated with the greatest civility by the officer in command, who gave them paper, and even playing cards, they having asked for



both. That the said officer sent to call a foreigner who resides in that neighbourhood, and who speaks Portuguese, to find out from the prisoners who and what they are, which they did not choose to tell. That the said strangers were in a disordered state of mind, and that the tallest of them carried a flask slung across the shoulder. That soon after this affray it became known that the said strangers had come from the Hill of Tijuca, wrangling with the passers-by, first with a woman, then with an equestrian, seizing the reins of his horse,\* and that on approaching the sentry, who was standing on a parapet, they asked him in very intelligible Portuguese, what he was doing there; and upon the sentry telling them that that was a military post commanded by an officer, they contended with him for a few moments, attempting to lay hold of his legs and to throw him over the parapet, when the sentry, in order to free himself from that aggression, shoved one of them off with the butt end of his gun, and backing himself against the house, called out the guard. That while the prisoners were in the guard-house not one of them ever declared that they were officers in the English navy.

(Signed)

ANTONIO JOAQUIM XAVIER DE  
MELLO, Clerk.

AGOSTINHO LUIS DA GAMA.  
DOMINGOS JOSE DA SILVEIRA.

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Enclosure 2 in No. 48.

*Messrs. Clemenger, Pringle, and Hornby, to Rear-Admiral Warren.*

"Forte," Rio de Janeiro, August 16, 1862.

SIR,

In compliance with your order, we the undersigned have the honour to submit to you some observations on the accompanying depositions:—

*B.C. do Amaral, Ensign, and Officer of Guard.*—1. The depositions of the officer of the guard, relative to our proceedings previous to being put in the guard-house prison, we entirely repudiate, as he did not make his appearance for ten minutes after that time, and his evidence is grounded upon hearsay,

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\* Why were not this woman and the equestrian produced? Not one witness has said that he saw these scenes.—W. D. C.



and we therefore do not acknowledge it in any way up to this time.

2. That so far from throwing everything about in the guard-house prison, it was an impossibility to do so, as there were no moveable articles there, nor did we create a disturbance there.

3. That the officer of the guard requested our names, and that we gave them in full with rank and ship on two separate occasions, written on a piece of paper which he provided for that purpose, and one of which papers he himself threw on the floor in a contemptuous manner after reading it. That an Austrian appeared and acted as interpreter, and that Lieutenant Pringle states that he made the Ensign fully aware of our names, rank, and ship, through the interpreter, as well as of the treatment we had received during his absence from the guard.

4. That we all removed to the room called the refectory during the evening, where we gave our names as above stated, and conversed with the Ensign personally, as well as through the Austrian. That we were not separated on account of making a disturbance, nor was Mr. Clemenger removed to another room, inasmuch as Messrs. Clemenger and Hornby slept in the refectory, and Lieutenant Pringle voluntarily in the prison, he preferring it as sleeping quarters; this being the way we passed the night.

5. That none of us carried a metal flask slung across the shoulder, but that Mr. Clemenger had one which contained no spirituous liquor, and had an opera glass slung across his shoulder.

6. That Mr. Clemenger also wrote to Captain Saumaréz

*M. L. Teixeira, Sentry.*—1. That we stopped no horse in the vicinity of the guard-house by checking the bridle, nor do we recollect seeing one there.

2. That we did not ascend the steps of the guard-house or make any attack on the sentry, neither did we use any disparaging reflections on the Brazilian soldiery, as we cannot speak the Portuguese language.

3. That on passing close to the guard-house the sentry advanced and challenged Mr. Clemenger, who stopped and replied in Spanish, "Que quiere V.?" when the sentry immediately struck him on the breast with the butt of his rifle. That no attempt was made by Mr. Clemenger to seize the sentry's leg. That the statement of our attacking the sentry with



sticks is entirely false, as well as that the officer of the guard turned out with the guard who attacked us.

4. That Messrs. Clemenger and Hornby did not offer the slightest resistance to the guard, neither did Lieutenant Pringle until he had been very roughly handled, although we were all struck repeatedly with the backs of drawn swords and bayonets. The remainder of this witness's evidence has been confuted.

*J. C. da Silva, Quartermaster.*—1. That the tallest, who addressed the sentry, did not raise his stick, as he merely carried a light umbrella, nor did he in any way attack or molest the sentry.

2. That the officer commanding the detachment did not turn out with the aggressing guard. No new matter being opened by this witness's evidence, we consider it unnecessary to make any further reply.

*M. P. Ribeiro, Private.*—1. That we could not have made a noise in the prison after 11 o'clock, as Lieutenant Pringle was the only person in the prison at that hour, he being then asleep.

2. That we deny that Mr. Clemenger pointed at the patrol with his stick, as he had none.

*R. Müller.*—1. Lieutenant Pringle states that he spoke German to this witness, and through him gave verbally to the officer of the guard our ranks and ship, and also answered questions which were put to him through witness by the Ensign; and Lieutenant Pringle feels quite satisfied that the Ensign perfectly understood him by the suitable replies that he received.

2. We should desire an opportunity of confronting this witness.

*D. J. da Silveira, Corporal.*—1. We beg leave to state that at half-past 7 o'clock on the afternoon of June 17, 1862, we had been prisoners for three-quarters of an hour, and consequently could not have been descending the hill at that time.

2. We have totally denied having ascended the steps of the guard-house, nor did we wrestle with the sentinel, or try to throw him over the parapet, such an operation being impossible from the road on which we were passing.

3. We have before stated that Messrs. Clemenger and Hornby made no resistance to the guard, who grossly maltreated them, striking them repeatedly with the backs of drawn swords and bayonets after they were prisoners.



4. We have already denied molesting passengers. The rest of this witness's evidence has already been answered.

*Statement of Proceedings.*

Starting from Botafogo at 8 A.M. on June 17, on foot, we arrived by the sea-road at Bennett's lower hotel at about 3 o'clock in the afternoon, where we each drank one glass of brandy and seltzer-water, and ordered dinner, whilst we strolled about the grounds. About 5 o'clock we dined, at which we drank two bottles of Bordeaux between the three. This together with the above was all the liquor we partook of. At 6 o'clock we started to catch the last "Machambomba," which leaves at 7 o'clock for the city. On our route we had no refreshments of any kind. We met many passengers, but so far from molesting them, we gave several blacks coppers. We also met the patrol, but took no notice of them.

On arriving at the Tijuca guard-house, Messrs. Clemenger and Hornby, being some yards in advance of Lieutenant Pringle, the former walking on the extreme left of the road, in passing very near the guard-house, was accosted by a sentry who moved towards him. Mr. Clemenger stopped and asked him what he wanted in Spanish ("Que quiere V.?). The words were scarcely uttered when he received a blow on the chest from the sentinel's musket, who at the same time called for the guard, which immediately turned out with drawn swords and bayonets, and came down on the road and attacked Messrs. Clemenger and Hornby, who offered not the slightest resistance. Lieutenant Pringle coming up at this time was received in the same cowardly manner, and, after remonstrating, endeavoured to free himself from the cowardly assault and renew his journey, but was overpowered; during which time Mr. Clemenger received a second blow on his chest, and we were all three brutally struck and maltreated, even after Lieut. Pringle had been secured; he, while in a helpless position, received a vicious thrust in the left groin from the butt of the sentinel's musket. We were then driven in the guard-house prison, most unnecessary force being used, and then locked up. We immediately, through the bars, requested the guard to send for the officer, who had not, up to this time, made his appearance. He arrived in ten minutes or a quarter of an hour accompanied by a soldier, who evidently had been sent for him, but he would not listen to us until he had asked questions of most of the men



composing the guard. We were then called out of the prison one by one to explain matters to the Ensign, who seemed very much excited, and were removed to a room called the refectory, where Mr. Clemenger, in compliance with the Ensign's request, wrote our names and ranks on a piece of paper provided for that purpose, and we gave him most fully to understand that we were British naval officers. Mr. Clemenger gave him our names and rank again later in the evening. An Austrian was sent for to act as interpreter, and Lieutenant Pringle states that he spoke to this man in German, and, through him, fully explained our ranks, and that we were British naval officers. Lieutenant Pringle feels perfectly satisfied that he was understood on this point, by the suitable answers that he received; the attention of the Ensign being at the same time called to the naval buttons which Mr. Hornby wore in his waistcoat. The officer of the guard provided us with writing materials, with which Mr. Clemenger wrote one letter to Captain Saumarez, and one to the British Consul, which letters the Ensign promised should be forwarded early the following morning, which promised was never fulfilled; we have since had a paltry excuse offered that he had no means to forward the latter, but the one to Captain Saumarez, the address of which might alone have indicated our profession, he affects to ignore.

In the course of the evening we gave the ensign to understand that we should, as soon as possible, call him to account for his conduct towards us; he then called our attention to the fact that he had removed us from the prison to the refectory directly he understood we were British naval officers.

We passed the night as follows:—Lieutenant Pringle removing to the prison, which he preferred as sleeping quarters, Messrs. Clemenger and Hornby occupying the refectory.

On the following morning, June 18th, we were told to prepare to march into Rio under an escort, and on objecting to this ignominy, requested a passage in the "Machambomba," or a conveyance, the expenses of which we offered to defray. This was refused, the reason given by the Ensign through, the Austrian, who acted as interpreter, that although we were officers, yet we were ordinary prisoners.

At 9 o'clock we started on foot under an escort of seven, and arrived at the city police-court at 11 o'clock. We here again wrote our names, rank, and ship, and were sent into a filthy den, where were collected men and boys of the dregs of



society. At the threshold of this detention-room, I again asked the official, whether he was fully aware that we were English officers; he said that he was, and we were locked up. Managing to communicate with the British Consul, he came and interceded for us, and after we had been two hours, we were removed to a less dirty one, where four or five prisoners were. After a lapse of another hour and a half we were removed to the police barracks, where we were very civilly treated.

At 11.30 a.m. June 19, we were released by written order of the Chief of Police, but no reason was assigned.

In the original charges preferred against us by the officer of the guard, of which we received a copy, no allusion was made to our insobriety, which fabrication appears to have been used to give colour to their statements, which they were obliged to make in order to screen their dastardly proceedings.

In conclusion, we beg leave to state that we were most decidedly sober.

(Signed) G. G. W. CLEMENGER, *Chaplain.*  
J. ELIOT PRINGLE, *Acting Lieutenant.*  
GEOFFREY HORNBY, *Midshipman.*

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Enclosure 3 in No. 48.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, August 19, 1862.

M. LE MARQUIS,

I have the honour to enclose copies of statements made by the three officers of Her Majesty's ship "Forte," who were imprisoned by the guard of Tijuca on the 17th of June, after they had read the report of the Chief of Police to M. Sinimbú, and the depositions taken in the inquiries of 2nd and 4th of July.

These depositions, of which I asked your Excellency for a copy immediately after receiving your note of 17th July, I received from M. Sinimbú in original in the evening of 2nd of August, in consequence of a note which I had addressed to him on the same day, begging him to hurry the sending of the copies promised by your Excellency; and it then appeared that the making of the promised copies had not



been begun, and that M. Sinimbú was under the impression that they had been long before sent to me.

Your Excellency will perceive from the enclosed document that the three officers totally and indignantly deny the statements of the Brazilian Ensign and his witnesses. They deny that they were intoxicated; they deny the allegation of disorderly conduct on the road; they declare that the guard began the assault; they declare that they were treated with brutal violence; and they declare that they gave their names, and proclaimed their profession and ranks, and that these were immediately and perfectly known to the Ensign of the guard, and to the officer who received them at the Rio police-station. Various statements of the officers on minor points merit your Excellency's attention.

It will not escape your Excellency's penetration that of four witnesses who relate in detail the beginning of the fray, imputing misconduct to the English officers, only one could speak of his own knowledge, and the rest could know only what they heard from that one whose evidence they all faithfully reproduced.

The British officers declare that the Ensign did not make his appearance until ten minutes after they were imprisoned in the guard-house, and that then he was fetched. He himself states that he turned out with the guard. According to his own statement, his evidence is worthless up to the moment of his turning out with the guard; having by his own confession declared as to what he did not see before that moment, he is as likely to declare to what he did not see afterwards. If he was absent from the guard-house when the disturbance began, he would not be likely to own to this breach of duty.

The three officers wished to be confronted with the German Müller, whose statements they deny.

I regret that no attention was paid to my first urgent request that the inquiry should be held immediately. It is clear that the interval from the 23rd of June, when I saw your Excellency's Secretary, to the 2nd July, added to the six days already elapsed since the event, gave superabundant time for concoction of a false story in defence of a proceeding which has caused general disgust and indignation.

I regret to see that the Chief of Police in his report to M. Sinimbú of 5th July, explains his liberation of the officers on the 19th June without inquiry or apology by imputing



inebriety, when the report of the Ensign of the Tijuca guard to the Sub-Delegate of Engenho Velho, which at that time was all his information, makes no such charge.

I lately expressed to your Excellency, in conversation, my regret that the Imperial Government had not hitherto proceeded in this matter with more promptitude and zeal. I will not yet give up the hope that, better appreciating the character of this lamentable event, the Government of the Emperor will anticipate any demand from Her Majesty's Government, to whom I have made a full report, by a spontaneous offer of suitable satisfaction for a shameful outrage, aggravated by the attempt to impute intoxication to the aggrieved officers.

I avail, &c.,  
(Signed) W. D. CHRISTIE.

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No. 49.

*Mr. Christie to Earl Russell.—(Received September 22.)*

Rio de Janeiro, August 23, 1862.

MY LORD,

I received by the French packet, on the 17th instant, your Lordship's two despatches of the 3rd and 23rd July, on the affair of the shipwreck of the "Prince of Wales," when I was pursuing a correspondence on the subject with the Marquis of Abrantes, and I have availed myself of some of your Lordship's remarks in the last note of the correspondence of which I now enclose copies.

In my despatch of the 21st July I sent your Lordship a copy of a note in which, in obedience to your Lordship's instructions, I insisted on a thorough inquiry to be held in the presence of a British officer. The Marquis of Abrantes, understanding these words to mean a British naval officer, in his note of the 6th August refuses such an inquiry. It may be inferred that he would also have refused a new inquiry in the presence of a British civilian.

In his second note, enclosed, that of the 16th instant, the Marquis of Abrantes, in answer to my expressions of regret and surprise that he had given me no additional information as to proceedings at Rio Grande, informs me of the dismissal of the Sub-Delegate of Tahim and the Inspector of the District,



two functionaries of whom Mr. Vereker has always complained, and whose conduct four months ago Senhor Taques declared praiseworthy, as well as the arrest and prosecution of eleven more individuals on charges of plundering the wreck, and of steps taken to apprehend some accused persons who have fled to Monte Video.

In replying to this second note of his Excellency, I have freely commented on some of its inconsistencies, and contrasting these newly announced measures with the former declarations of Senhor Taques, and showing how they condemn past inaction, I have pointed out what more remains to be done. I have reminded his Excellency of the serious imputations against the Justice of the Peace, Senhor Soares; I have pointed out that no reply has been made beyond bare assertions to the allegations of suspicion of murder, the probability of which is heightened by the now admitted culpable neglect of the two chief local functionaries; and I have shown how the duty of compensation follows from the admission of culpable neglect of officials.

Referring your Lordship to the correspondence itself, I hope that my part of it will obtain your approval.

After the long delay which has occurred, and with the admission of culpable neglect of officials now made, your Lordship may not think it too soon to consider what amount of indemnity may fairly be claimed from the Brazilian Government. All that is known as to the plunder, and all the circumstances suggesting suspicions of murder, are set forth in Mr. Vereker's despatches, and the value of the cargo and stores was stated by the owner of the vessel, Mr. Stephens, in his letter to your Lordship of September 20, 1861. I think, with deference to your Lordship, that it would be desirable to bring this question as soon as possible to a definite issue.

I have, &c.  
(Signed) W. D. CHRISTIE.

Enclosure 1 in No. 49.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
August 6, 1862.

(Translation.)

I have received the note which, under the date of the 16th



instant, Mr. William Dougal Christie, &c., &c., did me the honour to address to me, relative to the occurrences which arose out of the shipwreck of the English barque "Prince of Wales."

The note in question comprises two points, to which I shall duly reply.

The first relates to the circumstance of the return of Her Britannic Majesty's Consul and Captain Saumarez from Porto Alegre to Rio Grande, where the inquiry which was ordered to be held was to have taken place, and of their having waited from the 8th to the 18th of April, in the latter city, without receiving any communication from the President or Chief of Police on the subject; the result of which was the departure of Captain Saumarez for Monte Video, with the feeling that he had not been treated by those authorities with due consideration and courtesy.

The second concerns the order lately received by Mr. Christie from his Government, to declare to that of His Majesty the Emperor that this question, so full of disagreeable incidents, cannot be satisfactorily treated, without the institution of a new and complete inquiry, in the presence of a British naval officer.

With reference to the first point, Mr. Christie will permit me to make a brief explanation of facts, as they have occurred, and endeavour to show that the feeling of Captain Saumarez as to the want of consideration and courtesy with which he thought himself treated by the Brazilian authorities is without just cause.

According to the official communications addressed to the Imperial Government, whose authenticity cannot be doubted, the English gunboat "Sheldrake" arrived at Porto Alegre on the 6th of April, conveying Her Britannic Majesty's Consul, and Captain Saumarez, commanding a frigate which remained at anchor outside the Bar at Rio Grande.

In an interview or conference which they immediately had with the President of the Province, the Consul declared to the President that Captain Saumarez had come to demand fresh inquiries respecting the suspicions of robberies and murders committed on the occasion of the shipwreck of the barque "Prince of Wales," and that he was ready to attend and assist the Government of the country in this matter.

To such a proposal or demand the President gave the only possible reply, that is, that he could not recognize in Captain



Saumarez any official character authorising him to take part in the proceedings of the provincial authorities.

The Consul having on the following day renewed the same pretension, the President did not hesitate to tell him further, that hardly had he, the Consul, as natural protector of his countrymen, a right to attend the inquiry which was to be held.

On that day the Consul rejected the President's proposal, but on the following he said that he was resolved to take part in the inquiry, provided Captain Saumarez were permitted to attend "as a private person."

The President assented to this request, and, in this sense, sent the necessary orders to the Chief of Police of the Province, when the Consul and Captain Saumarez returned to Rio Grande.

The President assented to this request; he did not, however, fix the day on which the inquiry was to commence, not only because this depended on the Chief of Police, who certainly was the most proper person for judging of the best opportunity for executing the orders received from the first authority in the province, but because the verification of facts, such as those in question, which had occurred in solitary and distant parts, is attended by embarrassments and difficulties which cannot be overcome so quickly as is desired.

Those embarrassments and difficulties were, I can assure Mr. Christie, increased by the presence of the foreign force in the port, a force which the public voice said had come to support the claims of the British Consul, and which, arousing the susceptibilities of the population, who regarded it as offensive to the national independence and dignity, would render unavailing, if not impossible, the efforts of the authorities, because no one would be ready to give such information as he might possess, it being more probable that from pique the flight of those compromised would be facilitated.

All this being considered, and with a view to arrive, without alarm or conflicts always to be deplored, at the knowledge of the truth of the alleged acts, and of their authors, the Chief of Police thought it better to wait for the departure of Her Britannic Majesty's vessels from the port. And in fact, as soon as that departure took place, the Delegate of Police of Rio Grande, in an official letter of the 21st of April, addressed the Consul, inviting him to attend in his company the inquiry which was to be instituted on the 24th, on the coast of Albardao.



The departure of Captain Saumarez, if he really was desirous to be present at the investigations which were to take place, was not a necessary consequence of the withdrawal of Her Britannic Majesty's ships, which again was not at the request of the Brazilian authorities.

And as the said Captain accepted the condition of being admitted to attend the proceedings only as a private person, it is clear that the Brazilian authority had only to deal officially with the Consul; for which purpose alone he had informed the latter that the inquiry would commence on the 24th.

Now, if the Consul himself, in an official letter of the 22nd, replied to the Delegate that he could not at that moment accompany him, "but that, in case his presence should be judged essential for the successful result of the inquiries, he was to let him know," it appears also clear that the absence of Captain Saumarez could cause no surprise to the Brazilian authorities, as the Captain, be it remembered, was only, in conformity with the previous agreement, to be present as a private individual.

After this explanation, I trust that Mr. Christie will believe that there was not the slightest want of attention or courtesy on the part of the Brazilian authorities towards Captain Saumarez or the Consul, and especially considering the answer of the latter, to which I have alluded.

In proceeding to treat of the second point of Mr. Christie's note,—that of a new inquiry, in the presence of an English naval officer, in order to justify the Imperial Government's refusal of this pretension of that of Her Britannic Majesty it would be sufficient for me to observe to Mr. Christie, that to do otherwise would be to acknowledge the impotency or unfitness of the Justices of the country, and the incapacity of the Government itself, amounting, at the same time, to the sufferance on its part of the most flagrant disrespect of the national sovereignty and dignity.

The Imperial Government, as soon as it was informed of the occurrences arising from the shipwreck of the "Prince of Wales," despatched (as Mr. Christie has been informed by this Ministerial Department) the most positive and peremptory orders to the President of the Province of São Pedro do Sul, that without loss of time, and without shrinking from the employment of all possible means and resources, he was to proceed to take all necessary measures in order to discover



the truth of the facts complained of, and to cause the punishment of the perpetrators.

The measures ordered by the Imperial Government have been taken ; and if, as Mr. Christie has been already informed by this Ministry, from causes peculiar to the locality where the shipwreck occurred, and from other circumstances which may be said to be inseparable from such events, those measures have not produced the desired results, it is not less certain that the presence of a British naval officer could not exercise any beneficial influence.

The result of the proceedings instituted was the conviction of three criminals of robbery, one of whom is in prison, and the two others contrived to escape across the neighbouring frontier.

In a despatch addressed on the 1st instant to the President of the Province, the Imperial Government once more enjoins all possible activity in the trial of the prisoner, for the capture of those who have fled, and in continuing searches and inquiries for the discovery of other criminals.

If the examinations now proceeding shall be insufficient, if afterwards any suspicion still remains, the Imperial Government assures Mr. Christie that it will not hesitate in ordering a repetition of examinations and inquiries as often as may be necessary, in order that no trace or sign of the crime may remain without the most complete elucidation and examination.

The Imperial Government acknowledges the just foundation of the anxiety and vigilance of Her Britannic Majesty's Minister concerning this subject ; but Mr. Christie cannot but admit that no one has a greater interest than the Imperial Government, to whom is confided the honourable task of executing the laws of the country, and of directing it in the path of progress and civilization, in taking cognizance of crimes committed within the territory of the empire, and in the punishment of the guilty. And again, Mr. Christie must admit the Imperial Government would betray their mission, and be wanting in their duty to themselves, if they were to permit the interference of a foreign authority in the administration of the justice of the country.

In thus replying to Mr. Christie's note, I avail, &c.

(Signed) THE MARQUIS OF ABRANTES.



Enclosure 2 in No. 49.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, August 14, 1862.

M. LE MARQUIS,

I have had the honour of receiving your note of the 6th instant, on the subject of the shipwreck of the "Prince of Wales," being an answer to mine of the 16th ultimo.

I will forward a copy of this note to Her Majesty's Government, whom I feel sure it will greatly disappoint, more especially as no mention is made in it of fresh results of the inquiry instituted by the Chief of Police in April and May, after the second demand of Her Majesty's Government conveyed in my note to Senhor Taques of March 17, and after the visit of Captain Saumarez to Rio Grande do Sul.

That one person had been imprisoned and criminally proceeded against for plunder of this wreck, others having escaped by flight, Her Majesty's Government have already known from the note addressed to me by Senhor Taques, four months ago, on the 19th of April.

After the investigation made by the Chief of Police in April and May, Her Majesty's Consul learnt with satisfaction, on what seemed to be good authority, that evidence had been obtained against several other individuals who were to be prosecuted; that the Sub-Delegate of Tahim, D. F. Gonçalves, had been dismissed for his culpable negligence in connexion with the shipwreck, and that F. J. da Silveira, the Inspector of the district, whose conduct appears to have been even more culpable than the others, had been also removed and would be prosecuted. The removal of the Sub-Delegate of Tahim was positively mentioned in the newspapers. Your Excellency's note gives me no information whatever on these matters; and if the two functionaries referred to, or either of them, have been dismissed, your Excellency does not claim for the Brazilian Government the credit of this proof of their desire to do what is right on this painful question.

I regret that your Excellency sees no discourtesy to Captain Saumarez, in keeping him waiting eight or ten days at Rio Grande, without the slightest information as to the time of an inquiry, which the President of Porto Alegre had promised should be held immediately, at which it had been agreed that he should attend unofficially, to be present at which had been the special object of his coming away from Monte Video and



from his ordinary duties near the Admiral, and which it now appears was being designedly postponed by the Chief of Police, without one word said on the matter to Her Majesty's Consul or to Captain Saumarez, until the departure of the two English men-of-war. One of them, the "Oberon," had brought Captain Saumarez from Monte Video, to outside the bar of Rio Grande, being a vessel of size suitable to his naval rank. But as the "Oberon" was of too great draught to cross the bar, the gunboat "Sheldrake" had accompanied her, in order to take Captain Saumarez into port, and afterwards to Porto Alegre. Your Excellency must strangely misconceive what is due to an officer of the rank of Captain Saumarez if you think that it could ever have entered his head without suggestion (and you say that no such suggestion was made) to return to Monte Video otherwise than in a man-of-war. The Chief of Police, therefore, was silently waiting, according to your Excellency's account, to hold an inquiry at which the unofficial presence of Captain Saumarez was expected, for a contingency incompatible with his presence.

Permit me further to express my regret at learning, on the high authority of your Excellency, that a Brazilian population was likely to forget patriotism and humanity, and to obstruct justice, in a question involving many British lives, much British property, and the honour of their province and country, because of the presence of a British naval officer in a gunboat, carrying one gun, in the port of Rio Grande.

Your Excellency mentions that I have already been informed by the Minister for Foreign Affairs that certain peremptory and precise instructions had been sent to the President of the Province, as soon as the Imperial Government were informed of this shipwreck and its lamentable circumstances. I have to state that in the note of Senhor Taques, of April 19, the only previous note received by this Legation from your Excellency's office on this subject, it is only said that these instructions were given after the receipt of Mr. Baillie's note of October 27. But the wreck had occurred nearly five months before, in the beginning of June.

And this leads me to mention that it has been stated by Senhor Taques, in his Relatorio of May 13, and in a speech made by him in the Chamber of Deputies on the 7th of July, that such instructions were sent to the President of the Province immediately after receipt of the news of the wreck. No correspondence on this subject having been published



with the Relatorio, it would be gratifying to Her Majesty's Government to be assured by your Excellency that Senhor Taques did not do himself or the Brazilian Government full justice in his note to me of April 19.

I will call your Excellency's attention to a further statement in the speech of Senhor Taques of July 7: He says that, not considering the information sent him by the President of the Province satisfactory, viz., the information sent after the inquiries made in consequence of the demand of Mr. Baillie of October 27, he ordered fresh investigations to be made by the Chief of Police in person; that when these orders reached Porto Alegre, the Chief of Police was absent near the frontier, and that it was necessary to wait for his return; and that in the meantime, a note was received from the British Legation, stating that Her Majesty's Government was not satisfied, and mentioning that a naval officer would be sent to Rio Granda. This was my note of March 17. I think that there must be some confusion in this statement, and that the instructions said by Senhor Taques to have been previously sent, because he was not himself satisfied with the information received from the President of the Province, must be the instructions which were sent after the receipt of my note of March 17. The correspondence which would have cleared up the matter not having been published, I should feel obliged if your Excellency would inform me, for the information of Her Majesty's Government, whether there is any mistake in this part of the speech of Senhor Taques.

It is my intention to forward by the next French steamer to Her Majesty's Government your Excellency's note of the 6th instant, and to send with it a full report of all that is known to me in connexion with this lamentable event now almost of old date, for it occurred fourteen months ago; and if your Excellency should desire to give any explanations on any of the points I have now mentioned, you will perhaps find it possible to favour me with them before the departure of the French steamer on the 25th.

I have, &c.

(Signed) W. D. CHRISTIE

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## Enclosure 3 in No. 49.

*The Marquis of Abrantes to Mr. Christie.*

Ministry for Foreign Affairs, Rio de Janeiro,  
August 16, 1862.

(Translation.)

I hasten to acknowledge the receipt of the note of the 14th instant, sent me by Mr. W. D. Christie, &c., on the subject of the wreck of the English barque "Prince of Wales," on the coast of Albardao in the Province of Rio Grande do Sul.

To meet the urgent wishes of Mr. Christie to be accurately informed on certain points in connexion with this deplorable event, in order to be able to forward these explanations to his Government by the steamer of the 25th, I will recapitulate the propositions of Mr. Christie's note, with suitable explanations and detailed answers.

Mr. Christie begins by stating that the contents of my note of the 6th will not satisfy his Government, chiefly as there does not appear from it to be any new result of the inquest held by the Chief of Police of the province of Sao Pedro in April and May of the present year; the fact being that the information that three individuals had been criminally proceeded against for theft, of whom one was taken into custody, and the other had escaped, had been before communicated to Her Britannic Majesty's Legation by my note of April 9.

In pointing out to Mr. Christie that when I wrote my last note to him I could not possibly tell him any more than what was officially known to the Imperial Government, and when I add that the repetition of the information alluded to, of the proceedings against the three aforesaid individuals, arose from the recapitulation of the information contained in the said note, I think I have answered the first proposition.

Mr. Christie observes that in my last note he was not informed of the dismissal of the Sub-Delegate D. F. Gonçalves, and of the Inspector F. J. d'Oliveira, for culpable neglect of duty, nor of the proofs collected against various other persons implicated in the crime of theft, and that the Imperial Government might have availed themselves of the opportunity to claim from that of Her Britannic Majesty the credit which would be due to this proof of their desire to do justice in this deplorable matter.

On this head I will say frankly to Mr. Christie, that the



Imperial Government, conscious of its own right, and more zealous in the fulfilment of its own important obligations and the requirements of justice than in seeking after the good opinion of any (other) Government, although much respecting it and wishing to deserve it, preferred to employ suitable means to arrive at a knowledge of the whole truth of the facts, reserving to itself the right of communicating at once the final result to Her Majesty's Government.

It was for this reason that I omitted to embody in my last note, either the circumstance of the dismissal of the Sub-Delegate and the Inspector, or that of the proofs collected against various individuals implicated in the crime of theft, as I thought that the assurances were sufficient which I gave to Mr. Christie, that the Imperial Government was deeply interested in bringing to light all the truth of the affair, and consequently disposed to try all possible means in order that any suspicion or trace of crime should have full investigation and examination.

Mr. Christie next observes that he is sorry that I do not think with him that there was discourtesy and want of consideration on the part of the President and Chief of Police of the Province in their treatment of Captain Saumarez, in making him wait eight or ten days in the city of Rio Grande, whereas, according to the promise of the President, the inquest should have commenced immediately ; and besides that, in the Chief of Police purposely delaying the said inquest, without the least warning to the Captain, until the two English ships of war should be gone ; the commencement of the inquest, in which the Captain was to assist in an unofficial capacity, thus being made dependent on a contingency incompatible with his presence.

As to this third paragraph of Mr. Christie's note, I must refer to my last note of the 6th instant, and repeat what I then said, as I think that the considerations now urged by Mr. Christie, beside the deference which they merit, cannot alter the truth of facts which have taken place.

The day for the commencement of the inquest was not definitively fixed, not only because no such fixing appears in the official documents now before the Imperial Government, in which all the incidents of the visit of Captain Saumarez to the capital of the province are minutely and faithfully narrated ; but also because this postponement may



have a natural and easy explanation in the serious obstacles against which the Brazilian authorities had to struggle, both on account of the population of Albardao being very much scattered, and the state of mistrust and cautiousness which probably prevails amongst the inhabitants of the district, among whom there may be guilty ones, on account of the proceedings which the authorities were going to hold; above all, if the greatest discretion and reserve had not been practised, as much in overcoming the great distances which had to be traversed, and the facilities for escape of the criminals by the neighbouring frontier; as by duly considering the excitement produced in the public mind by the presence of the English ships of war, which might have done more than all towards delaying or neutralizing the exertions of the authorities.

Thus then as to this part of Mr. Christie's note, I must, although very disagreeable to me to be of a different opinion to him, insist on the explanations given in my note of the 6th instant, adding that, although not understanding the absolute incompatibility of the presence of Captain Saumarez with the withdrawal of the ships of Her Majesty, I especially consider the attention paid by causing Captain Saumarez to be present in a strictly private character at the inquest which was to take place, and I regret this occurrence, seeing what importance Mr. Christie attaches to it.

I can, however, assure Mr. Christie that the absence of that officer, if not advantageous, at least did not in any way prejudice the court of justice, nor the zeal and care of the authorities.

The fourth paragraph of Mr. Christie's note is directed to showing the regret that he experienced in learning that a Brazilian population could so far regret its sentiments of patriotism and humanity, as well as respect for the honour of the province and their country, as to place obstacles in the way of the course of justice in a question involving many lives, and property of British subjects, and this from the presence of an officer of the English navy, and a gunboat of one gun!

If I feel regret at having thus involuntarily caused sorrow to Mr. Christie, nevertheless I cannot help expressing to him the surprise that I felt at seeing that he did not understand that the slightest sign from a powerful nation is enough to



ensure the respect it merits, and to awaken, in certain cases, the just sympathy of other nations.

I beg leave, on this point, to differ with Mr. Christie, it being my inward conviction that, in most cases, the patriotism least prized penetrates the masses of the population with sentiments of justice and humanity, which, to leave the impress of loyalty and sincerity, must be spontaneous, and exempt from all coercion and violence.

Mr. Christie takes into consideration that I, in my note of the 6th, and my predecessor in his Relatorio and in the Chamber of Deputies on the 7th of July, said that the Imperial Government would forward peremptory and final instructions to the President of the province of Rio Grande do Sul, on being informed of the lamentable occurrence; while from the note of the Ministry of April 19, it would be inferred that the instructions to the President were given after the receipt of the note of Her Britannic Majesty's Legation of October 27 of last year, about five months after the wreck.

Mr. Christie is badly informed in this respect. The Imperial Government first had information of the wreck from officials of the President of the Province of Rio Grande on July 3 to 11; they immediately, on the 10th of August, despatched to the President the most positive and stringent orders, and the most express directions, that in a case of this grave nature the authorities should proceed with the greater circumspection, and with all zeal and carefulness.

On receiving Mr. Baillie's note of the 27th of October, the Imperial Government merely informed the President, repeating the orders and instructions before sent to him.

Mr. Christie proceeds with reference to what my predecessor said in the Chamber of Deputies on July 7, viz., that not considering the proceedings of the President satisfactory, more especially those relating to the inquest held in consequence of the note of the British Legation of the 27th of October, he had sent him instructions to the effect that the Chief of Police should personally conduct new investigations.

And since this discussion tallied with the time of receipt of a fresh note from the British Legation of March 17 last, which set forth that Her Majesty's Government were not satisfied with the proceedings, I ask Mr. Christie whether those orders of my predecessor might not have been in conse-



quence of his note of March 17. It appears to me that there is a prevailing idea in the mind of Mr. Christie, that but for the intervention and persistency of the British Legation, nothing effectual would be done.

Protesting against the inference of injustice on our part, and opposing to it the incontestable proof of facts, I beg leave to give them in detail.

The President of Rio Grande do Sul, on December 10 of last year, brought to the notice of the Imperial Government the proceedings of the authorities of the Province with reference to the instructions given to it.

These not appearing sufficient, the Imperial Government sent to the President the despatch of December 26th, containing instructions for fresh and energetic investigations, and authorizing him to spare no exertion or expense in order to arrive at the truth, and discover any persons who might be guilty.

Thus Mr. Christie's note had no effect on the mind of the Imperial Government with reference to the duty of obeying the call of justice or the promptings of humanity.

And the Imperial Government merely transmitted a copy of this note to the President of Rio Grande, renewing the orders and instructions contained in the despatch of December 24, and I must acquaint Mr. Christie of the fact that these orders and instructions were subsequently repeated with stress, in my despatches to the President of Rio Grande of April 22 and 30, May 11, June 14, and July 1 last.

I think I have given as lucid an answer as possible to each of the propositions of Mr. Christie's note, thus having enabled him to furnish his Government with the explanations he wishes. I will not, however, conclude without informing Mr. Christie that, on the day on which I received his note to which this is an answer, I also received a despatch from the President of Rio Grande of the 31st of last month, from which it appears that the investigations and inquests to be held by the authorities have been concluded, resulting in the conviction of eleven persons for robbery, who were immediately committed to prison; and that the Police Delegate of the district was engaged in tracking several of the culprits, who were supposed to have escaped to the adjoining State, with a view to the Imperial Government demanding their extradition.



In assuring Mr. Christie that the Imperial Government, as well in the wish to fulfil its duties as for its own credit and that of the country at large, will keep in sight this grave affair, and will not shrink from their duty of doing justice and serving the cause of humanity, I avail, &c.

(Signed) THE MARQUIS OF ABRANTES.

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Enclosure 4 in No. 49.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, August 22, 1862.

M. LE MARQUIS,

I have received your Excellency's note of 16th instant on the affair of the wreck of the "Prince of Wales," which is so far satisfactory that it informs me of the removal of the Sub-Delegate Delfim Francisco Gonçalves and the Inspector Faustino José d'Oliveira for culpable neglect of duty; of the imprisonment of eleven more individuals who are to be tried for the plunder of the wreck; and of the prosecution of inquiry about others who have fled into Montevidean territory with a view to demand their extradition.

Your Excellency says that you could not have given me any of the additional information in your note of the 6th, as at that time you were not officially cognizant of any part of it; and though it might cause me some surprise to learn that what was published in the Rio newspapers, and known to me from our Consul in the first days of June, should not have been officially known to your Excellency two months later, I could have no difficulty in admitting that you could not tell me officially what officially you did not know. But a little further on in your note your Excellency mentions a different reason for not having given me on the 6th any additional information, and that is, that being more anxious to do your duty in this matter than to let Her Majesty's Government know that you were doing it, you were keeping back your additional information till you could furnish me later with a complete and final statement. There is an obvious discrepancy between your Excellency's two statements, and Her Majesty's Government, on receipt of your



last note, will be at a loss to know whether additional information was not before given me because you could not give it, or because you did not care to be in a hurry to do so.

I have no desire to prolong a discussion on the minor point of want of courtesy to Captain Saumarez, and will quit that subject with the remark that if the Chief of Police was waiting, without saying a word to Captain Saumarez or the Consul, to hold an inquiry at which Captain Saumarez was to be present, for the departure of the two vessels which had brought him to Rio Grande, and were remaining there only to carry him back, this conduct shows such a want of perception and ignorance of propriety that the Chief of Police may certainly be acquitted of uncivil intentions.

To your Excellency's observations on menaces and patriotism I will very briefly reply that it passes my understanding to comprehend how any menace could be seen in the presence of the two small vessels which had brought Captain Saumarez to Rio Grande, and how any patriotism worthy of the name could be diverted by that circumstance to the shelter of criminals charged with foul deeds, whose impunity would be the shame of Brazil.

I had hoped that your Excellency would have treated this idea of menace with the same scorn with which the worthy late Minister of Justice repudiated it in the Chamber of Deputies. "What!" exclaimed M. Sayao Lobato, "could a single gunboat frighten and alarm the spirited Province of Rio Grande do Sul!"

On one and the same day (the 17th March) I wrote to the English Admiral at Monte Video, requesting him to send a naval officer to cooperate with the Consul at Rio Grande, and to your predecessor Senhor Taques, informing him of the request which I had addressed to the Admiral, and offering the cooperation of a naval officer with the Brazilian authorities if the latter chose to accept it. Is it not strange that the President of the Province had not received direct from Rio one word of information from Senhor Taques as to the probable visit of an English naval officer, while Captain Saumarez had had time to reach Porto Alegre, having been sent by the Admiral from Monte Video after receipt of my letter of March 17th?

It must be for Senhor Taques to explain why he did not hasten to give notice and instructions to the President, that he might have taken measures to prepare the sensitive minds



of his Province, and guard against unfortunate consequences of an extraordinary susceptibility by timely explanations.

I am happy to know that Senhor Taques sent full and peremptory instructions to the President of the Province on the 10th August, of which those sent after the receipt of Mr. Baillie's note of 27th October were merely a repetition; but I am not convinced that the instructions which Senhor Taques is reported to have spoken of as sent before the receipt of my note of 17th March were not those which he sent after receiving that note.

Your Excellency says that my prevailing idea seems to be that nothing would have been done in this matter but for the pressure of the British Legation. You will be good enough to remember that besides the action of the British Legation, Her Majesty's zealous Consul at Rio Grande has from first to last been constantly urging the local authorities. At the end of fourteen months your Excellency announces to me the dismissal of two local functionaries for culpable neglect of duty, and the prosecution of eleven newly suspected individuals; and steps taken to recover some of the culprits who had fled to Monte Video. Why were not these measures sooner taken? Four months ago, when Senhor Taques last wrote to me, only one person had been arrested, and no evidence had been found against him; and Senhor Taques declared that there was nothing to show that the two functionaries who have been dismissed were blameable. Is it strange that I should have the opinion that but for the laudable and persevering efforts of the Consul and the demands of this Legation made by order of Her Majesty's Government, nothing would have been done?

Four months ago Senhor Taques wrote to me that the local functionaries had all done their duty, and confidently called on me to own that they had done everything in their power. In his "Relatorio" of the 13th May, Senhor Taques published a glowing eulogium on the President of the Province, who he says has acted in this matter with the greatest zeal, judgment, and propriety. What is the worth of these statements after the announcement tardily made to me in your Excellency's last note?

There is a third local functionary, the Justice of the Peace, Bento Venancio Soares, whose conduct exposed him to grave suspicions of connivance. It is true that Senhor Taques said to me in his note of the 19th April that he could not see



any fault in Senhor Soares; but after what he said of the other gentleman now dismissed, his testimony to character cannot be thought of much value. The Imperial Government are bound to show that Senhor Soares is innocent, or disgrace him.

The painful circumstances attendant on this wreck have not only shown that the cargo was heartlessly plundered, but have suggested grave suspicions of foul deeds on persons shipwrecked. Senhor Taques stated in his note of the 19th April that there was nothing to justify a suspicion of assassination. He had made a similar statement in the "Relatorio." Not one particle of proof or argument accompanying these statements, you will excuse me for not assigning to them more value than belongs to other statements of Senhor Taques, which subsequent events have proved valueless. Your Excellency lately mentioned to me that as regards the suspicions of assassination the Brazilian Government had a clear conscience. It is my duty to state to your Excellency that mere assertion is no answer to the presumptions of murder which have been brought to the notice of the Imperial Government.

You have now dismissed two local functionaries for culpable neglect of duty. While they were culpably dilatory and absent, murders might have been committed by that unrestrained savage population of plunderers.

Senhor Taques stated in his note of the 19th April, in answer to a suggestion of Her Majesty's Government for compensation, that while the authorities did their duty the Brazilian Government could not be made responsible for acts of the population. The admission now made of culpable neglect of the two chief local functionaries renders it impossible for the Imperial Government to persist in refusing to entertain the idea of compensation.

On the day on which I received your Excellency's note of the 16th, the French steamer brought me fresh despatches and instructions from Earl Russell.

I have been instructed to say that Her Majesty's Government have received with great regret the unsatisfactory reports of the progress of this grave question which were in their hands on the 23rd July, and that they will continue to hold the Brazilian Government responsible for ascertaining all the facts of the case, and for the full and impartial execution of justice. Not knowing that two local function-



aries have been declared guilty of culpable neglect, but having before them only the praises given by Senhor Taques to all the officials concerned, Her Majesty's Government instruct me to say that it is in any case clear that a crime has been committed which reflects little credit on Brazilian civilisation, and that they hope that the Brazilian Government will wish to do all in their power for redeeming the honour of Brazil by compensation to the sufferers.

I need not after this say how deep an interest is felt by Her Majesty's Government in this question. The trials of those imprisoned on suspicion will, I hope, be vigorously prosecuted. The efforts begun for apprehending the fugitives in Monte Video will, I hope, be continued. Her Majesty's Government look to that of Brazil for satisfactory answers as to the conduct of the Justice of the Peace, Soares, and the suspicions of murder. Your Excellency must admit that the earlier failures of justice during twelve months need explanation, and I trust that your Excellency, notwithstanding your comparative indifference to the knowledge and appreciation by another Government of your good deeds, will feel it right henceforth to give me early information of every important incident in the development of this question, about which, as it concerns the fate of British citizens, to say nothing of British property, Her Majesty's Government, as in duty bound, are deeply interested.

I avail, &c.,  
(Signed) W. D. CHRISTIE.

No. 50.

*Mr. Christie to Earl Russell.—(Received September 22.)*

Rio de Janeiro, August 23, 1862.

MY LORD,

With reference to your Lordship's despatch of March 14, instructing me to apply, if I should think it right, to the Brazilian Government for the payment of certain expenses which have been paid by Mr. Consul Vereker, amounting to £32 1s. 1d., for holding inquests on the bodies found after the wreck of the "Prince of Wales," and for their interment, I have the honour to enclose a copy of a note which, after receiving further information on the subject from Mr. Vereker,



I addressed on the 19th July to the Marquis of Abrantes, and to which I have as yet received no reply.

I have, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure in No. 50.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, July 19, 1862.

M. le Marquis,

Her Majesty's Consul at Rio Grande do Sul has made known to Her Majesty's Government that he has been required to disburse 314 milreis for the expenses of burial of persons wrecked in the "Prince of Wales," and of the inquest held upon them, the local authorities having refused to defray these charges. It appears to Her Majesty's Government that these expenses should fall on the Brazilian Government; Her Majesty's Consul having interfered in consequence of the neglect and misconduct of the local authorities, whose obvious duty it was to hold an inquest and give decent burial to the wrecked. I enclose an account in detail of the expenditure which has been imposed on Her Majesty's Consul.

I avail, &c.  
(Signed) W. D. CHRISTIE.

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No. 51.

*The Secretary to the Admiralty to Mr. Layard.—(Received October 6.)*

Admiralty, October 4, 1862.

SIR,

With reference to my letter of the 3rd ultimo, I am commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of Earl Russell, a copy of a further letter, dated the 8th September, from Rear-Admiral Warren, with its enclosures in original, respecting the collision between certain officers of the "Forte" and a



party of Brazilian police in the neighbourhood of Rio de Janeiro.

I am, &c.,  
(Signed) W. G. ROMANE.

Enclosure 1 in No. 51.

*Rear-Admiral Warren to the Secretary to the Admiralty.*

"Forte," Rio de Janeiro, September 8, 1862.

MY LORD,

With reference to my letter of the 6th ultimo, enclosing, for their Lordship's information, the correspondence relative to the collision which took place on the 17th June between three officers of the "Forte" and a police detachment stationed on the Tijuca Hill, I have now the honour to forward the depositions made by the police to the Brazilian authorities, and the reply of the officers thereto; as also the answer of Mr. Christie, Her Majesty's Minister, to my letter of the 4th instant, inquiring how the business now stands, after his having submitted the officers' rejoinder to the Minister for Foreign Affairs.

2. Mr. Christie is of opinion with myself that the violence used by the police is most inexcusable, as is also the assumption of the Chief of Police that the officers were intoxicated, and acting upon such assumption, when it appears that the accusation of their being in liquor was an after-thought and not mentioned in the charges at first made.

3 Her Majesty's Minister and myself are further of opinion that the dismissal of the officer in command of the detachment, the disrating of the non-commissioned officer who played so conspicuous a part in the uncalled-for violence of the police, and the retraction of the Chief of Police of his assumption of the intoxication of these officers, is the very least amends the Brazilian Government ought to offer for the outrage.

I have, &c.  
(Signed) RICHD. L. WARREN.

Enclosure 2 in No. 51.

*Depositions of the Brazilian Police.*  
[See Enclosure 1 in No. 48.]



## Enclosure 3 in No. 51.

*Messrs. Clemenger, Pringle, and Hornby to Rear-Admiral Warren.—(August 16, 1862.)*

[See Enclosure 2 in No. 48.]

## Enclosure 4 in No. 51.

*Mr. Christie to Rear-Admiral Warren.*

Rio de Janeiro, September 5th, 1862.

SIR,

In reply to your letter of yesterday I beg to inform you that I have not yet received any answer to the note which you have seen, and which I addressed on the 19th ult. to the Marquis of Abrantes, after conferring with you on the whole question of the ill-treatment of the three officers of Her Majesty's ship "Forte."

I forwarded a copy of this note to Earl Russell by the last French steamer.

I have, &c.,  
(Signed) W. D. CHRISTIE.

## No. 52.

*Earl Russell to Mr. Christie.*

Foreign Office, October 8, 1862.

SIR,

Her Majesty's Government have had under their consideration your despatch of the 23rd of August and its enclosures, reporting the recent steps taken by the Brazilian Government in the matter of the wreck of the British ship "Prince of Wales."

This wreck, which is supposed to have occurred on the 6th or 7th of June of last year, was first heard of by Her Majesty's Consul at Rio Grande do Sul on the 13th of that month through Senhor Bento Venancio Soares, a magistrate of the district of Albardao, who had stated in conversation that some bodies had been washed on shore near his house, but professed to have no knowledge of a wreck.

Subsequent inquiries, however, induced Her Majesty's



Consul to suspect that a British ship had been wrecked, and he consequently left on the following day for the coast of Albardao with the Municipal Judge and a small Customs guard, and arrived at the house of Senhor Bento Soares, where they were received with most evident reluctance by his daughter, her father having left before their arrival.

Early the following morning, the party visited the scene of the wreck and found the shore strewn with its relics and with parts of the cargo, such as casks, barrels, seamen's trunks, &c., some of which had evidently been dashed to pieces on the beach, but others of which had as evidently been very recently broken open and plundered of their contents. The linings of some of the trunks were quite dry, as if they had been safely brought on shore in boats.

Ten bodies were stated to have been discovered, some of them a long way from the beach, but no money or watches were forthcoming. Property from the wreck, uninjured by water, was found in the house of Senhor Bento Soares.

No inquest having been held on the bodies by the Sub-Delegate of the district, Mr. Vereker proposed to view them; but this was strongly objected to in a most suspicious manner by the Inspector of the District, who was met with on the shore accompanied by an armed force.

Mr. Vereker then returned to Rio Grande and applied for assistance to convey the ten bodies thither for inquest and burial. The assistance was given (though Mr. Vereker had to defray all expenses), but only four of the ten bodies arrived at Rio Grande.

Inquests were subsequently held on the bodies at Rio Grande and on those at Albardao, at the latter place by Sub-Delegate Gonçalves, now disgraced, assisted by the brother-in-law of Senhor Soares, Senhor Pereira de Sousa, who is said to have headed a party of plunderers of the wreck. One body only was disinterred, the others were found unburied, and in an advanced state of decomposition. The verdict on all was, in effect, "Found drowned," though there were most suspicious circumstances attending the discovery of some of them, stripped of their clothes, and far beyond the reach of the tide at high water.

After repeated and earnest applications from Mr. Vereker for a searching inquiry, he at length heard, on the 18th of September, that one man had been convicted of being in possession of property stolen from the wreck. The President



of the Province stated at the same time that the chief culprits had fled, and he pleaded the great difficulty of inducing the inhabitants to give any evidence at all in the case. Later on, in December, the same reasons were pleaded for the unsuccessful result of a further inquiry, and although it has been admitted from the first that the wreck was plundered, it was not until August of this year, fourteen months after the wreck occurred, that the Brazilian Government stated that upon further inquiry two of their officials, whose conduct they had previously praised, had been dismissed, and that eleven persons were being prosecuted for plundering the wreck. For the credit of the Brazilian Government and nation, Senhor Bento Soares should also be put on his trial, and, if found guilty, should be most severely punished.

The Brazilian Government are good enough to add, that they have quite satisfied themselves that none of the crew of the vessel were murdered. Her Majesty's Government are by no means satisfied of this ; but it is a question which could only have been set at rest by an immediate inquest on all the bodies of the crew, and by a prompt and searching investigation on the spot, and it is to be feared that the mystery attending the fate of these unfortunate men cannot now be cleared up.

But the time is come when Her Majesty's Government must ask compensation for the plundering of the wreck and of the bodies, and they must look for this compensation to the Brazilian Government, as being responsible for the losses occasioned by the culpable proceedings of their authorities, whose guilt they have at length discovered and admitted.

I have therefore to instruct you to demand from the Brazilian Government compensation for the losses that have been occasioned to the owner of the "Prince of Wales" by the wholesale plunder of the wreck and crew. Mr. Stephens claims for cargo and stores, 5,500*l.* ; for freight, 1,025*l.* 19*s.* ; in all, 6,525*l.* 19*s.* But this claim is not at present sustained by any sufficient evidence ; and it would be incumbent on Mr. Stephens to produce a properly certified estimate of the value of the cargo and stores ; and if any demand is to be made for personal property belonging to any passenger on board, proper evidence on this point must be adduced.

But on the Brazilian Government admitting the principle, Her Majesty's Government are prepared to accept a fair



arbitration on the question as to the actual amount of compensation to be made, and they will leave the same arbiter or arbiters to determine the amount of the compensation to be made to relatives of the people on board whose bodies were stripped and plundered.

At the same time Her Majesty's Government, having regard to the extraordinary delay and procrastination of the Brazilian authorities in the investigation of this grave matter, must insist that any such arbitration shall be set on foot without loss of time, and shall be conducted with all possible speed to an issue.

I am, &c.,  
(Signed) **RUSSELL**

No. 53.

*Earl Russell to Mr. Christie.*

Foreign Office, October 8, 1862.

SIR,

Her Majesty's Government have read with great regret your despatches of the 7th and 23rd of August, reporting the serious outrage committed on the 17th of June by a Brazilian police-guard on three officers of Her Majesty's ship "Forte."

Her Majesty's Government have carefully considered the depositions and evidence taken in this case, and they can come to no other conclusion but that the version given by the three officers is true, and that the defence set up by the Brazilians is unworthy of credit.

The officers state that, having obtained leave to go out on a pleasure excursion, they dined temperately at an hotel on the Tijuca Hill, and were hurrying back to catch the omnibus for Rio when they passed the sentry of the guard-house at Tijuca; that Mr. Clemenger, the chaplain, who was in advance with Mr. Hornby, was approached by the sentry; and that he had scarcely time to ask, in Spanish, what the sentry wanted before he was struck by the butt of the sentry's musket and stabbed at with his bayonet; that the sentry at the same time called out the guard, who rushed



upon the three officers, and after much violence drove them into the guard-house, Lieutenant Pringle alone having made any resistance whatever to the brutal violence that was used against them ; that on being lodged in the guard-house prison they asked to see the officer of the guard, who, after the lapse of ten minutes or a quarter of an hour, made his appearance for the first time ; that they immediately gave on paper their full names and rank, first direct to the officer, and secondly through an interpreter, and wrote to their Captain and to the British Consul to inform them of their position, but these letters, it appears, were withheld, and not forwarded to their destination.

That two of the party were confined for the night in a room called the "refectory" and the third in the prison, and that, on the following morning they were ignominiously marched on foot guarded by an escort (though they offered to pay for a conveyance) to the city police court at Rio, where they again wrote out their names and rank.

That they were then put into a filthy prison among criminals of the lowest class, the prison official admitting that he was aware that they were British officers ; and that after the lapse of two hours, and at the intercession of the British Consul, with whom they had managed to communicate, they were removed into a less dirty prison, and subsequently to the police barracks, where at last they were civilly treated.

That at half-past eleven on the following morning they were released by a written order of the Chief of the Police, no reasons being given for their imprisonment or for their liberation. Such is, shortly, the story of these officers taken from their depositions ; and as they have never varied in their statements, which are probable and consistent, and as they have expressed a strong desire to be confronted with the adverse witnesses, Her Majesty's Government are impressed with the conviction, confirmed by the character of the parties as officers and gentlemen, that their story is strictly true.

On the other hand, the version of the affair given by the Brazilian police is supported by evidence in which no confidence can be placed. They state that the officers were drunk, and that they annoyed the passers-by on the road between the hotel and the guard-house, but it is remarkable that no passer-by has been produced to give evidence on this point,



and that in the original charge preferred against them by the officer of the police-guard, of which a copy was given them, no mention was made of their being drunk, and no witnesses have been produced who had been annoyed by them on the road.

You justly animadvert in your despatch on the evidence of the officer and soldiers of the guard, who have deposed as to the circumstances of the commencement of the affray between the British officers and the sentry, when by their own admission they were not present at the time, and it is to be observed that the Brazilian officer more particularly has deposed to all the circumstances of the struggle with the guard, while it is positively affirmed that he did not appear until ten minutes after the prisoners were lodged in the guard-house prison.

It is impossible to believe on other points evidence of a witness whose statement is so palpably untrue on this point, and Her Majesty's Government cannot doubt that the officer of the Brazilian guard was perfectly aware of the nationality and rank of his prisoners.

Her Majesty's Government cannot submit to leave such an outrage unatoned for, and you will therefore embody the foregoing remarks in a note to the Brazilian Government, warning them at the same time of the serious light in which Her Majesty's Government have viewed the case; and you will demand—

1. That the Ensign of the guard shall be dismissed from the service.
2. That the sentry who commenced the attack shall be adequately punished.
3. That an apology be made by the Brazilian Government for this outrage on British naval officers; and
4. That the Chief of the Police and the official at the Rio police-station shall receive a public censure.

I shall acquaint you, by another opportunity, with the measures which Her Majesty's Government propose to take in the event of the Brazilian Government refusing to comply with these demands.

I am, &c.  
(Signed) RUSSELL

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No. 54.

*Earl Russell to Mr. Christie.*

Foreign Office, October 8, 1862.

SIR,

I enclose, for your information and guidance, a copy of the letter that has been addressed to the Admiralty,\* respecting my despatches to you of this day's date on the cases of the "Forte" and "Prince of Wales."

I am, &c.,  
(Signed) RUSSELL

No. 55.

*Mr. Hammond to the Secretary of the Admiralty.*

Foreign Office, October 8, 1862.

SIR,

I am directed by Earl Russell to transmit to you copies of instructions which will be sent out to Her Majesty's Minister at Rio de Janeiro by the mail of the 9th instant,† specifying the redress which Her Majesty's Government require from the Brazilian Government for the acts of their authorities in the cases of the "Forte" and the "Prince of Wales."

I am to request that you will lay these instructions before the Lords Commissioners of the Admiralty, and move their Lordships to communicate them to the Admiral on the Station, and at the same time to direct him to place himself in communication with Mr. Christie, and to make such an arrangement with his ships as shall admit of his proceeding, if necessary, to reprisals, with regard to which instructions will be sent by the next mail.

I am, &c.  
(Signed) E. HAMMOND.

No. 56.

*Mr. Stephens to Earl Russell.—(Received October 21.)*

15, Dixon Street, Glasgow, October 20, 1862.

MY LORD,

I have waited very patiently, expecting every post would

\*No 55.

†Nos. 53 and 54.



bring me some compensation for the plunder of the stores, &c., and murder of the crew of the "Prince of Wales" ship by the Brazilians, and to which I again reluctantly am obliged to call your Lordship's attention. It is quite evident coercive measures will require to be taken to obtain redress, and which should have been done at once when the outrage was committed, and which I am strongly of opinion would have been the course adopted by any other nation.

I am, &c.

(Signed) R. P. STEPHENS.

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### No. 57.

*Mr. Christie to Earl Russell.*—(Received October 25.)

Rio de Janeiro, September 15, 1862.

MY LORD,

With reference to my despatch of August 23, I enclose a translation of a note which I have received from the Marquis of Abrantes, acknowledging that Mr. Consul Vereker ought not to have been required to pay the expenses which fell upon him for burials and inquest in connexion with the wreck of the "Prince of Wales;" and stating that suitable instructions have been sent to the President of the Province of Rio Grande do Sul, who, I presume, therefore, is instructed to repay 314 milreis (32*l.* 1*s.* 1*d.*) to the Consulate.

I have, &c.

(Signed) W. D. CHRISTIE.

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### Enclosure in No. 57.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
September 12, 1862.

(Translation.)

I acknowledge the receipt of a note from Mr. Christie, Envoy Extraordinary, &c., of Her Britannic Majesty, of the date of July 19, relative to the requisition which was made to Her Britannic Majesty's Consul at Rio Grande, for the payment of the expenses of interment of the persons who



perished in the shipwreck of the English barque "Prince of Wales," and of the inquest held on them.

In answer, I have the honour to inform Mr. Christie that the Imperial Government has just sent a despatch to the President of the Province of San Pedro de Rio Grande do Sul, telling him that the request he made to the aforesaid Consul, respecting the above-mentioned expenses, was improper; and, in consequence, I have issued suitable orders in this sense.

I avail, &c.,  
(Signed) MARQUIS OF ABRANTES.

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No. 58.

*Mr. Christie to Earl Russell.—(Received October 25.)*

Rio de Janeiro, September 24, 1862.

MY LORD,

With reference to my despatch of August 23, enclosing copies of correspondence with the Marquis of Abrantes, about the wreck of the "Prince of Wales," I have now the honour to enclose a translation of a further note from his Excellency, and also a copy of my reply.

The principal points in the enclosed note of the Marquis of Abrantes are as follows:—

1. Whereas I had understood from his preceding note that eleven more individuals had been imprisoned on the charge of robbery, and that efforts were being made to discover others, who had fled to Monte Video, it appears that the number eleven is the total of those accused of plunder; and that of these eleven, only one (a man before taken) is in prison; warrants only being out against the others, who have not yet been found. The passage which I had misunderstood in his Excellency's note of the 16th of August is as follows, and is in a note answering a request of mine for information as to the results of the second investigation:—"I will not conclude without informing Mr. Christie, that on the same day on which I received his note I received also a despatch from the President of Rio Grande, dated the 31st of July, from which it appears that the examination and inquiries to which the proper authorities proceeded have been finished, the result being that eleven individuals are accused of the crime of robbery, and that the competent order of imprison-



ment has issued against them; and that the Delegate of Police was endeavouring to find traces of some criminals who were supposed to have taken refuge in the neighbouring State, in order that the Imperial Government might demand their extradition."

2. The Marquis of Abrantes, who in his preceding note of the 16th of August, had spoken of the dismissals of the Sub-Delegate (Gonçalves) and the Inspector (Faustino), "who proceeded in the discharge of their duties with culpable negligence," now says that he never spoke of culpable negligence, and that these two functionaries have not been dismissed on account of culpable neglect of duty, but one of them on account of a delay of about two days in transmitting information about the wreck, which he considers a trivial fault, and the other on account of charges, the nature of which is not explained, and which he considers unfounded ("improcedentes"), but which impaired his usefulness.

3. The conduct of the Justice of the Peace, Soares, is defended without the slightest attempt to disprove the imputations made against him. "The fact," says his Excellency, "of not being convinced of the connivance which Mr. Vereker attributes to him should necessarily exempt the Justice from all and every censure."

4. Credit is again claimed, in high language, for the spontaneousness and promptitude of the proceedings of the Brazilian Government, and great stress is laid on the difficulties arising out of the distance, isolation, savage character, and other circumstances of Albardao, which his Excellency considers as ample justification for the small results in fourteen months.

5. On the question of assassination, the Marquis of Abrantes condescends at last to an attempt, feeble enough, to justify the statement of Senhor Taques, that the suspicions of murder are unfounded, and his own that the conscience of the Brazilian Government is clear on this subject. His Excellency says:—"All persons residing not only in Albardao, but also in the vicinity of the place of the wreck, have been heard, and others also who were present on the occasion. The Inspector of Customs and the Adjutant of the Chief Guard have also been heard; and all, without any discrepancy, denied the existence of assassinations." His Excellency sends some extracts from the reports made by the President of the Province and the Chief of Police, "which, together with the



denials of all the parties examined, conclusively prove that no murder was committed." I enclose a translation of these extracts, which seem to me anything but conclusive, and in which I have been surprised to see a statement that the public voice has never mentioned assassination.

6. The idea of compensation is repudiated, and his Excellency declines to accept your Lordship's observation that a crime has been committed which reflects little credit on Brazilian civilization, and that it is to be hoped that the Brazilian Government will offer compensation to the sufferers.

In my enclosed reply, after noticing his Excellency's corrections of my preceding note, I have again pointed out some of his mistakes and inconsistencies, and replied to some of his statements. I have presented to him the particular grounds on which the Justice of the Peace, Soares, is suspected of connivance, and suggested that there is enough to justify some punishment in his case, when one functionary has been dismissed, without culpable negligence, for a trivial harmless fault, and another merely on account of unjust charges which have impaired his usefulness; and finally, while refusing my assent to the statement that the public voice has never charged murder, and refusing implicit belief to the assertions of the residents, and of the two authorities named, who were not present at the time of the wreck, I have stated that I should leave it to Her Majesty's Government to judge whether it is proved that there were no murders, or whether the conscience of the Brazilian Government has not been too easily tranquillized.

I referred these extracts to Admiral Warren, and solicited his opinion on the question of the suspicions of murder, in a letter of which I enclose a copy; and I also enclose a copy of Admiral Warren's reply, to which I beg to call your Lordship's particular attention.

I have, &c.,  
(Signed) W. D. CHRISTIE

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Enclosure 1 in No. 58.

*The Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, September 6, 1862.

(Translation.)

I have received the note which Mr. Christie addressed to me on the 22nd ultimo.



Still taking for subject the wreck of the "Prince of Wales," and referring to my note of the 16th, in which, on behalf of the Imperial Government, I furnished Her Britannic Majesty's Legation most frankly with all possible details and explanations of the circumstances attending this deplorable affair, Mr. Christie, in his note which I have before me, puts forth a new series of considerations, by which I observe with regret that he is not satisfied, and that he continues to appreciate in a manner little flattering and perhaps less just, not only the conduct in this affair of the Brazilian authorities of the Province of San Pedro Rio Grande do Sul, but also that of the Government of His Imperial Majesty.

Being convinced of the sincerity of Mr. Christie's objections, and recognizing the duty laid on me of employing all possible means to dispel these objections from his mind, I will not desist from this task as long as the slightest hope of realizing it remains.

Thus as a proof of the high consideration which the words of Her Britannic Majesty's Representative always deserve from the Imperial Government, I proceed to answer the note which I have before me, considering one by one the propositions contained in it.

Mr. Christie begins by saying that he was happy to learn from my note of the 16th ultimo that the Sub-Delegate and the Inspector of the District of Albardao had been dismissed for culpable neglect of their duties; that eleven more individuals had been taken, against whom proceedings were going on; and that steps were being taken to discover traces of others, who, it was presumed had fled across the neighbouring frontier, with a view to demanding their extradition.

I beg leave to correct this first paragraph of Mr. Christie's note.

In mentioning the dismissal of the two functionaries I did not speak in my note of the 16th of culpable negligence, and could not speak so, as I will show further on; neither did I say that eleven more persons had been taken. What I had the honour to state was, that the examinations and inquiries were finished, resulting in eleven persons being charged with the crime of robbery, against whom warrants of imprisonment had been issued, and that attempts were being made to obtain traces of some who, it was supposed, had taken refuge in the Oriental State, in order to require their extradition.

What results, therefore, from the information contained in



this part of my note is, that the examinations and efforts of the authorities were concluded, and that the total number of the accused of crime was eleven, of whom some had escaped abroad. Mr. Christie, therefore, misunderstood my meaning when he inferred from my words that eleven more persons were apprehended, and that steps were being taken with regard to others who had fled to a neighbouring State.

Mr. Christie wonders that on the 6th ultimo the Government had not yet received official information already published by the journals, and communicated by Her Britannic Majesty's Consul to his Minister two months before; but admitting the possibility of the fact, and at the same time finding another explanation of it in the declaration which I made that the Imperial Government, more anxious to exercise justice than to tell the British Government that it was doing so, was waiting for the sum total of all the details, in order to inform that Government of the final result of the inquiries. Mr. Christie finds a discrepancy in these two propositions, which authorises a doubt whether the information was not given because it was not known, or because it was not wished to give it.

I regret to have to contest the reasonableness of this doubt which has taken possession of Mr. Christie's mind, and which arose from a confusion of facts.

My note of the 16th, to which Mr. Christie alludes, only treats of those accused of crime, and in fact, it was only by the communication of the President of the Province of Rio Grande dated 31st July, and received the 14th of August, that the Imperial Government was informed that the number of the accused had risen from three to eleven. Both in that note and in my preceding one of the 6th of the same month, I by preference occupied myself with the accused persons, that being without doubt the principal question. The first duty of the Governor-General and local authorities was to find the criminals; a very difficult task, from especial reasons already explained to Mr. Christie on different occasions.

If the dismissal of the two functionaries and other steps taken by the Government were not the object of my note of the 6th, it is because the steps taken by the authorities were in progress; and the result was not yet known, and convenience did not recommend the communication to Her Britannic Majesty's Legation of measures, so to speak, interlocutory, which had to be completed by others in order to



attain the desired end, the discovery of the truth of the alleged acts and of the authors.

This circumstance could certainly not influence the mind of Mr. Christie as to doubting that the Imperial Government had acted with zeal and activity in this important question, actuated, as already said, more by a desire to fulfil the duty of hastening to the call of justice and humanity than by a wish or hope to gain the good opinion of any Government, however great the respect it may feel for it.

Mr. Christie goes on to state, that not desiring to prolong the discussion relative to Captain Saumarez, he will end it with the simple observation that if the Chief of Police of the Province waited, without saying a word either to the Captain or the Consul, to begin the inquiry at which the Captain was to assist, for the departure of the two ships, one of which had taken him to Rio Grande, and which was staying there solely to take him back to the River Plate, such a proceeding shows so complete a want of judgment and such an ignorance of what is fitting that that Brazilian functionary may be acquitted of the fault of incivility.

This opinion of Mr. Christie is not, however, in my opinion, just.

The Chief of Police, as was his duty, took care above all things to choose the most fitting moment to begin the important inquiry which he had to hold.

He judged rightly that the presence of two of Her Majesty's ships would be a powerful obstacle to the discharge of his commission; he, consequently, deferred the beginning of the inquiry in order not to prejudice the interests of justice, to which it was his primary duty to attend, and he neither could nor should sacrifice them to any other considerations.

The Chief of Police did not know, nor had he to inquire, if the English ships were remaining in the harbour only to take Captain Saumarez back to the River Plate, and he was also ignorant of the absolute impossibility of that Captain's return to his port in any other way.

It is regrettable that Captain Saumarez could not wait for the opening of the inquiry, but certainly there is nothing to cause surprise in the conduct of the Brazilian authorities in not having hurried it against the conveniences of justice, and only attending to that circumstance, since it is known that permission was given with difficulty to Captain Saumarez to assist at the inquiry as a simple private person.



If Captain Saumarez could not reconcile his duties as an officer in the British navy with the position of a private person, which he spontaneously accepted, in order to attend the inquiry which was to be held,—if the two positions were incompatible, the responsibility certainly does not fall on the Brazilian authorities, on whom no blame can rest for not having paid attention to Captain Saumarez's official character, for, as must be repeated, that character ceased to exist for the especial case in question.

Mr. Christie, in spite of what I said in my note of the 16th, cannot understand that a threat could be seen in the presence of the two small vessels which took Captain Saumarez, or that legitimate patriotism could be thereby diverted to the shelter of criminals whose impunity would be the shame of Brazil.

Mr. Christie hoped, on the contrary, that I should treat the idea of menace as M. Sayão Lobato treated it in the Chamber of Deputies, *i.e.*, not admitting as possible that a single gunboat could frighten and alarm the spirited Province of Rio Grande.

Mr. Christie adds, still referring to this point, that on the 17th of March last he wrote at the same time to the Admiral at Monte Video, requesting him to send an officer of the English squadron to Rio Grande, and to my predecessor Senhor Taques, offering the cooperation of that officer with the Brazilian authorities if they wished to accept it.

And asking if it is not strange that the President of the Province was not informed of the probable visit of the English officer, Mr. Christie says that Senhor Taques ought to explain why he did not hasten to warn the President of the said occurrence in order that the latter might in time prepare the sensitive minds of the Rio Grandenses, thus avoiding the consequences of an exaggerated susceptibility.

It is extremely disagreeable to me to differ from the opinions of Mr. Christie, for whom I have great respect and esteem, but I confess to him that I must continue to insist that the smallest indication is sufficient to represent all the prestige and all the greatness of a nation, above all in circumstances such as those in which the two English ships of war appeared at Rio Grande.

Certainly the population of Rio Grande, as Senhor Sayao Lobato said in the Chamber of Deputies, would not allow itself to be intimidated by the material force of one or more



gun-boats, nor do I remember having written such a proposition in the correspondence I have exchanged with Mr. Christie. What I said was, the population was indignant, the national pride was aroused because those vessels carried the flag of a powerful nation, and brought an officer, to whom was attributed the pretension of interfering in the acts of justice of the country. And in fact, what was the object of the presence of the vessels and the officer? Assuredly the small number of persons who composed the crews could not give appreciable help to the Justice of the province, who was again not in need of it. It is, then, natural that the population should imagine that the object of the appearance of the vessels was to show forth the prestige and influence of the country they represented.

It would be difficult, if not impossible, to get a different view taken by the popular masses, and supposing even that the Imperial Government only wished to see in the offer mentioned a sincere desire on the part of Her Britannic Majesty's Government to cooperate with it in discovering the truth, it is certain that the acceptance of such an offer in the public opinion, and even in that of foreigners, would imply at least a confession of impotence or weakness.

Does Mr. Christie consider as exaggerated jealousy the repugnance which is inspired in a people by the intervention of a foreign Government in acts which are of the exclusive competency of the national sovereignty?

Without doubt it is unreasonable to pretend that an offence to patriotism ought to render a people inhuman and unjust, though it has happened even amongst the most civilized nations. But it cannot be contested that among all nations any one act, however just, performed under foreign pressure, has always been considered by the common people as a proof of weakness and cowardice.

In fact Mr. Christie, on the same day on which he offered to the Brazilian Government the cooperation of an officer of the English squadron, requested the English Admiral at Monte Video to send such an officer, which was done before the Imperial Government had answered Mr. Christie's offer. In the meantime Mr. Christie expresses surprise that Captain Saumarez had time to reach Porto Alegre without my predecessor having informed the President of the Province of the visit.

Would not surprise, perhaps, be more justifiable on my side, observing that Mr. Christie, at the same time that he



saw fit to consult the Imperial Government, sent orders for the immediate arrival of the officer?

Would it not be natural in such a case to ask why Mr. Christie consulted it, while without an answer he proceeded definitively as if an answer was not important.

And if by chance, as the Government had the right to expect, Mr. Christie had waited for the answer from my predecessor, would not all these inconveniences have been avoided which have resulted from Mr. Christie's resolution, since my predecessor formally and expressly declined the offer in question?

Continuing his observations, Mr. Christie expresses his satisfaction at learning that Senhor Taques had sent on the 10th of August instructions to the President of Rio Grande do Sul, of which those sent after Mr. Baillie's note were a mere repetition, but at the same time he declares that he is not convinced that the instructions which my predecessor states were sent before the receipt of the note of the British Legation of the 17th March were not sent after that note.

I ought not to be astonished that Mr. Christie is governed by the idea that nothing would have been done without the pressure of the British Legation, and the laudable zeal and activity of the English Consul; because, says Mr. Christie, it is only after fourteen months that the dismissal of two functionaries, the imprisonment of eleven more criminals, and the steps taken to capture others, have been communicated to him.

Observing that four months ago Senhor Taques stated that only one person had been taken, that the local authorities had done their duty, and observing, moreover, that in the Report presented to the Legislative Chamber, my predecessor highly praised the President for his proceedings, Mr. Christie asks what such eulogies can be worth after the tardy communications of my note of the 16th ultimo.

In order to give a suitable answer to these considerations, it is necessary to divide them into two classes which comprehend them; one of which refers to the Imperial Government, the other to the authorities subordinate to that Government.

Mr. Christie cannot but recognize that the Government of an independent country owes to itself the exercise of justice on its own soil. It is an always admitted principle as a base of all discussion, especially among nations which respect one another.



In the meantime, Mr. Christie not only appears to deny such a principle, but, what is more, addressing himself to the Imperial Government itself he says, with notable frankness, that, if anything has been done in this question, it is owing to the instances of the Legation and even of the English Consul!

Leaving what there is of bitter and unjust in this proposition, let us examine what are the reasons on which Mr. Christie bases his opinion. Already in his note of the 14th ultimo, Mr. Christie insinuated that all the steps taken by the Imperial Government in this business had resulted from the instances of the British Legation.

Without doubt, it would suffice to reply that the Imperial Government, knowing itself and its high duties, has proceeded as it is accustomed to proceed in similar emergencies; that is, with all zeal, care, and solicitude to discover the truth and to do justice, there being no right to demand from it what is impossible.

Notwithstanding, out of deference to Her Britannic Majesty's Government, I enumerated in my note of the 16th ultimo all the despatches sent by this Department to the President of the Province, from the 10th of August, 1861, to the 1st of July last; thus rendering clear and incontestable that the action of the Government had been as zealous and active as it was spontaneous, and independent of any urging from Her Britannic Majesty's Legation.

There was reason to hope that so complete and so positive a declaration would have convinced Mr. Christie that his supposition was ungrounded. It cannot but cause surprise, however, that since this Mr. Christie even more openly persists in declaring that he continues to think that the Government would have done nothing without the pressure of the Legation and of Mr. Vereker!

As I cannot doubt the sincerity of Mr. Christie's objections, I will prosecute my endeavours to remove them, repeating that by my note of the 16th ultimo documents were cited which prove completely the unreasonableness of his assertion, and adding that the only notes from the British Legation received at this office are those of the 26th of October, 1861, and the 17th of March, 1862, which were at fitting time communicated to the President of the Province; but that, besides these communications, the Imperial Government sent to that President the despatches of the 10th of



August, the 26th of December, the 22nd and 30th of April, the 11th of May, the 14th of June, and the 1st of last July, all freely and spontaneously, without any solicitation or demand on the part of the British Legation.

In one point only has Mr. Christie the goodness to yield to evidence, recognising that with the despatch of the 10th of August the Imperial Government had taken the initiative in this business, before receiving Mr. Baillie's note ; but, on the other hand, he states equally that he is not convinced that the instructions which my predecessor, Senhor Taques, states to have been sent before the note of the British Legation of the 17th of March, were other than those given after receipt of that note ; and Mr. Christie expresses himself thus at the same time as he receives communication of the contents of the important despatch of the 26th of December, already mentioned, in the note from this Department of the 19th of April.

Such incredulity on Mr. Christie's part leaves no hope of convincing him by giving him a copy of the said despatch of the 26th December, seeing that its authenticity might also be denied. Thus far as to Mr. Christie's considerations about the Imperial Government. As to what refers to the proceedings of the local authorities, I will begin by telling Mr. Christie, before everything, that in my note of the 16th there is no expression from which blame of their proceedings can be inferred ; and the truth is, that the President had in this question behaved with all possible zeal, activity, and justice. Nor do the repeated despatches addressed to him by the Imperial Government prove this functionary guilty of neglect in the discharge of his duties, as Mr. Christie appears to argue.

In the midst of the great difficulties with which he had to struggle, he used always on his side all possible endeavours, never failing to inform the Government in time of the results obtained ; which did not prevent the Government, as it received this information, from earnestly recommending him to prosecute the inquiries diligently, so as to arrive as quickly as possible at a knowledge of the truth, authorising the President to use all resources, including pecuniary. It would also be unjust to deny that the Chief of Police, in the discharge of his obligations, showed zeal, care, and activity, by no means common ; the Municipal Judge and the Justice of the Peace also behaved properly.



The only fact on the part of the provincial authorities which can deserve censure is the delay in the Inspector of the District of Albardao, in reporting the shipwreck to the Sub-Delegate; a delay which still did not exceed two days, since the accident happened on the 9th, and the communication was made on the 11th of June, 1861.

In the meanwhile, notwithstanding the slightness of the offence, which it must be admitted had no influence on the results, the Inspector and Sub-Delegate were dismissed; not as guilty, but the first for having made the above-mentioned omission, and the latter for having, in consequence of accusations brought against him, lost the prestige which ought to belong to the authorities.

Such dismissals caused, as is said, by faults of slight importance, prove the zeal with which both the General Government, the President, and the Chief of Police have proceeded in the difficult and grave affair in question.

In answer to Mr. Christie's last observation on this topic,—that in which he asks me why inquiries were not instituted sooner,—I am obliged to repeat what I have already often said, namely, that Albardao is a desert inhospitable coast, from which culprits can very easily escape to the neighbouring territory.

Shall I need to prove to Mr. Christie, clear-sighted and enlightened as he is, the difficulties which of necessity opposed themselves to the prompt carrying out of an inquiry in such a place as that, and in such circumstances?

A calm and impartial appreciation of the difficulties could not fail to produce the conviction that fourteen months was not too long a time to arrive at the result which has been attained.

Whatever may be thought, it is positive and incontrovertible that neither the Imperial Government nor the local authorities spared either trouble or sacrifices to fulfil their duty; all which appears from the documents of the proceedings.

Mr. Christie says that grave suspicions of connivance have fallen on the Justice of the Peace, Bento Venancio Soares. Senhor Taques, in his note of the 19th of April, says such suspicions are unfounded; but as he said the same with regard to the two functionaries who have been dismissed, the assertion has not much value: and Mr. Christie concludes



that the Imperial Government are bound either to prove the innocence of Senhor Soares, or to dismiss him.

Mr. Christie will allow me to contest his right to discredit with such great facility the assertions of Senhor Taques, without exhibiting the reasons from which he derives this right.

From what I have explained above, it is seen that all that Senhor Taques stated with respect to the subaltern authorities is the pure truth. If Mr. Christie's memory had helped him, he would doubtless remember what Senhor Taques said about the subaltern authorities in his note of the 19th April; that is, in the meanwhile, if culpable neglect on the part of these functionaries is recognized, the President of the Province will take the necessary steps that such a proceeding may not remain without due censure.

In these words Senhor Taques told Mr. Christie that, up to the moment of his writing, he had no reason to believe that there was culpable negligence on the part of the subaltern authorities; but that if, by the inquiries which were to be held, such negligence was proved, the parties would certainly not remain unpunished.

Instructions being sent in this sense to the President of the Province of Rio Grande, he, in the fulfilment of them, ascertained that the Inspector had been negligent, delaying one or two days the communication of the event to the competent authority, and that the Sub-Delegate, from accusations (unfounded) had lost the prestige necessary to the fulfilment of his duties. Consequently both were dismissed, not for culpable neglect; which would have had to be punished by legal means, but the first for simple negligence of the short delay in announcing the event, from which neglect no prejudice or harm arose to the action of justice, and the second for not possessing moral strength enough for his charge.

Thus, there was no culpable neglect; and as to the Justice of the Peace, the fact of his not having been convicted of the connivance attributed to him by Mr. Vereker, ought necessarily to exempt him from all and every censure. From whence it may be inferred, also, that there is no reason in the only argument which Mr. Christie has brought forward to prove that the said Justice of the Peace should be dismissed, or that the Government should prove his innocence. It is not only a question of robbery, says Mr. Christie; there



are grave suspicions of murder. In his note of the 19th of April, and the Relatorio of this year, Senhor Taques said nothing justified these suspicions; but as his Excellency asserted other things now admitted to be inexact, what he says on this subject merits little credence; and alluding to the declaration which I made, that, as to the suspicions of murder, the Imperial Government had a quiet conscience, Mr. Christie says that mere assertions are not proofs, and asks whether, two functionaries having been dismissed for culpable negligence, that negligence would not give opportunity for the assassination of some of the unfortunate shipwrecked persons.

I think that what I have said in answer to the preceding observations of Mr. Christie is more than enough to prove the groundlessness of his reasoning as to the little faith to be placed in Senhor Taques's assertions.

The new argument produced by Mr. Christie, that mere assertions are not proofs, certainly tells more in favour of the Imperial Government than of Mr. Christie, since the accuser always has to furnish proof of the crime of the accused, and not the latter to prove his innocence, especially when nobody knows on what the accusation is founded. The two functionaries, I repeat, were not dismissed for culpable neglect; and to pretend that assassinations were committed in the short interval between the wreck and the announcement of it to the Sub-Delegate, cannot go beyond a vague conjecture, which affords no point of departure for discovering the truth.

Mr. Christie's arguments being thus answered, let us inquire how the Brazilian authorities proceeded with regard to the presumed murders.

Such a suspicion had its birth in Mr. Vereker's mind, who conceived it, as he declared, in consequence of public rumours.

In various communications, among others in that of June the 20th, he gave the reasons on which he based his idea that some of the wrecked persons had been murdered. This, however, did not prevent him, on the 22nd of April, from writing the following words to the Provincial Chief of Police:—"Let me observe that it is unjust to attribute to me especially the suspicion that some persons belonging to the barque were murdered, as not only I never expressed such an opinion in my despatches, but I believe that such



suspicious were entertained by persons who had knowledge of the circumstances."

The authorities did not on this account cease from repeated inquiries. Not only all persons dwelling at Albardao were heard, but also persons living near the scene of the wreck, and, again, others who appeared there on the occasion.

The Inspector of the Custom-house and the adjutant of the chief-officer were also examined, and they all without discrepancy denied the existence of murder.

In order not to render too tedious to Mr. Christie this note, already too long, I abstain from transcribing here passages from several despatches from the President of the Province and the Chief of Police relative to this part of the question. But calling Mr. Christie's attention to the enclosed copies, I will venture to ask if it was possible to do more with a view of satisfying vague suspicions, and if I have not abundant reason to declare that the Government has a quiet conscience in this respect.

Mr. Christie observes that the British Government claimed an indemnity, and that Senhor Taques replied that, the authorities having done their duty, the Government could not be responsible for the acts of the people. In the meantime, two functionaries having been dismissed for culpable negligence, it appears to Mr. Christie impossible for the Imperial Government to refuse the claimed indemnity.

There does not exist the connexion which Mr. Christie has discovered between the first and second parts of the above-mentioned statements of Senhor Taques. Mr. Christie, on reflection, will see doubtless that they form two distinct propositions expressing different ideas.

Senhor Taques states, first, that a Government is not responsible for acts committed without its cooperation or suggestion by its subjects against foreigners; secondly, that the duties of a Government do not go beyond the employment of the means in its power for learning the truth and for punishing the guilty.

Now, Mr. Christie not being able to suppose that there was any cooperation or suggestion on the part of the Government to cause what has happened at Albardao, or to deny that the Government employed all possible means to discover and punish the persons who committed those acts, it is plain that the above-mentioned allegations of Senhor Taques do not establish the responsibility Mr. Christie wishes to attri-



bute to the Imperial Government. The two functionaries were not dismissed, as alleged by Mr. Christie, for culpable negligence. The dismissal of the first arose from a slight fault, as has already been said, which has had no influence in the question; that of the second was counselled by the convenience of not retaining the functionary who had lost influence.

It is, then, incontestable that from the dismissal of very subordinate functionaries, caused as I have explained, Mr. Christie cannot justly conclude that the Imperial Government is responsible or obliged to give any indemnity which the British Legation may please to claim; the more so when it can be asserted, as I assert, that all the superior authorities of the province have fulfilled, and are fulfilling satisfactorily, their duties in this distressing question.

Mr. Christie further declares that the British Government, little satisfied with the information hitherto obtained, continues to hold the Imperial Government responsible for the complete clearing up of the facts and execution of justice.

Being ignorant of the dismissal of the two functionaries, and only knowing the praise awarded them by Senhor Taques, the British Government instructed Mr. Christie to declare to the Imperial Government that the crime committed does little credit to Brazilian civilization, and that it hoped that the Government would do all in its power to save the honour of Brazil, awarding an indemnity to the sufferers.

Mr. Christie, without partiality, cannot but recognise that the Imperial Government has taken every possible step and measure to clear up the facts minutely, and continues to prosecute the criminals, so that they may be punished as they deserve.

The Imperial Government claims to have done as much as is incumbent on any government which respects sentiments of justice and humanity; it cannot, therefore, accept Earl Russell's observations.

Mr. Christie says, in conclusion, that the British Government takes the greatest interest in this question. He hopes that the trial of the prisoners will be followed up, as well as that steps will be taken for the capture of the fugitives. He hopes that a satisfactory answer will be given respecting the Justice of the Peace and the suspicions of assassination, and he also hopes for an explanation of the delay of twelve months in the action of justice.



And Mr. Christie trusts that, notwithstanding my comparative indifference as to the knowledge and appreciation by the British Government of the acts of the Government of the Emperor, I shall judge it proper to give early information on all important incidents in the development of the question.

I shall answer this last topic of Mr. Christie's note by assuring him that the trial will continue, as also the steps for the capture of the fugitives.

As to the delay in the action of justice, the suspicion of assassination, and the conduct of the Justice of the Peace, nothing remains for me to add to what I have already said, not being able even to fix with certainty a period at which it will be possible to attain the discovery of the residences, and the capture of the fugitives.

Finally, I assure Mr. Christie that the Imperial Government will have much pleasure in communicating to him all that takes place of importance, giving him any information which he wants and which the Government possesses, in order that not the slightest doubt may remain either as to the prudence, activity, and zeal of the Imperial Government in so grave an affair, or as to the employment of all possible means for arriving at the truth.

I avail, &c.

(Signed) MARQUIS OF ABRANTES.

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Enclosure 2 in No. 58.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, September 18, 1862.

M. LE MARQUIS,

I have had the honour of receiving your Excellency's reply, dated the 6th instant, to my note of the 22nd ultimo, on the subject of the wreck of the "Prince of Wales."

I regret to learn that I had mistakenly attributed greater results to the second investigation, instituted after the receipt of my note to Senhor Taques of March 17, than have really ensued; and I now understand that instead of eleven more individuals having been imprisoned on suspicion of plunder, and some others beyond the number eleven being sought for in Monte Videan territory, as I had erroneously inferred from



your Excellency's last note, the eleven spoken of include the one previously imprisoned, two previously accused, who had escaped into Monte Videan territory, and all others who are being there sought for, and that the fact is that only eleven in all now stand accused of plundering, of whom only one, the man at first taken, is in prison.

The latter inquiry has, however, led to accusations against eight more individuals. The satisfaction with which Her Majesty's Government would hear of any new proceedings or discoveries would always be mingled with regret that more effectual measures were not earlier, or indeed immediately taken, and the smaller the new results the greater will be that regret.

I cannot adopt your Excellency's opinion that the distance and isolation of Albardao, its "desert and inhospitable coast," and the facility of escape from thence to the Monte Videan territory, furnish much good excuse for the Brazilian authorities, still less that they justify a delay of fourteen months; for Albardao can be reached in eighteen hours from Rio Grande do Sul, the greater the facility for escape the more necessary is prompt action to prevent it, and your Excellency expresses your satisfaction at the sufficiency of the administration of the police of the Province, and even shows resentment at the offer, made in good faith, of the cooperation of a British naval officer in the inquiries which, notwithstanding the good organization of the police of the Province, you represent as attended with overpowering difficulties.

In your note of the 16th ultimo, your Excellency, referring to my inquiry about the reported dismissal of two functionaries, and not quoting my words, speaks of "the dismissal of the Sub-Delegate D. F. Gonçalves and the Inspector F. J. d'Oliveira, who proceeded in the discharge of their duties with culpable negligence." There is not one word in the rest of the note denying that culpable negligence was the cause of their dismissal. I consider myself amply justified in having understood that your Excellency admitted that these two persons had been dismissed for culpable neglect of duty; and I cannot acknowledge the correctness of your present statement, that you did not speak in that note of culpable negligence.

Her Majesty's Government, however, will now learn, not I think without regret, that your Excellency asserts that these two functionaries have not been dismissed for culpable neglect



of duty, but that one of them has been dismissed for a delay in giving information about the wreck, which is regarded as a trivial fault, and the other in consequence of some charges made against him, the nature of which you do not explain, which may or may not be connected with the wreck, which you say are without foundation, but which are thought to have affected his usefulness and influence in what you represent as a very subordinate post.

With every desire to be convinced by your Excellency, I am sorry that your explanations have not reconciled the discrepancy between two statements in your note of the 16th of August, in answer to my expression of regret that you had not given me on an earlier occasion some additional information; one of these statements being, "It was not possible for me to tell you more than was officially known to the Imperial Government," and the other, "I will tell Mr. Christie frankly, that the Imperial Government knowing itself, and more eager to fulfil its important obligations and attend to the claims of justice than to obtain the good opinion of any Government, however much it may respect or desire to merit it, has preferred to devote itself to the employment of the proper means for arriving at the whole truth of the case, waiting to announce at one and the same time to Her Majesty's Government the final result of what had been done. This is why I did not include in my last note either the circumstance of the dismissal of the Sub-Delegate and Inspector, or the proofs collected against various individuals implicated in the crime of plunder."

I am also sorry to say of your Excellency's further explanations about the conduct of the Chief of Police towards Captain Saumarez, that they do not in the least alter my opinion. Though Captain Saumarez was to attend the promised inquiry unofficially, he did not cease to be a Captain of Her Majesty's Navy, and Flag-Captain of the Admiral commanding on this station. The Chief of Police knew that he was waiting to attend the inquiry, and if he wished to postpone it till the man-of-war which brought Captain Saumarez went away, common sense might have suggested to him, as common courtesy required him, to say so to Captain Saumarez. This officer might then, perhaps, have sent the vessels away, ordering them to return for him later.

Your Excellency finds fault with me for having written to the English Admiral to request him to send a naval officer



and a man-of-war to Rio Grande do Sul on the same day on which I wrote to Senhor Taques to consult him on the subject, and you think it extraordinary that I did not wait for the reply of Senhor Taques. Your Excellency has here made a mistake. I did not consult Senhor Taques. I informed him that I wrote to the Admiral to request him to send a naval officer to aid and advise our Consul, and I offered his assistance to the Brazilian Government if they chose to accept it. I could not think it necessary to consult Senhor Taques about the sending of a British naval officer to Rio Grande to communicate with our Consul, or about the visit of a British man-of-war to a Brazilian port.

Her Majesty's Government are yet far from being convinced of the spontaneousness and promptitude which Senhor Taques and your Excellency agree to claim for the proceedings of the Imperial Government in this distressing question. I am aware that your Excellency, in your note of the 16th ultimo, stated the purport of a despatch of Senhor Taques to the President of the Province, of the 26th of December, and enumerated the dates of several communications from the Government at Rio to the President of Rio Grande. These dates are again enumerated in your Excellency's last note, with the declaration that all the despatches so dated were sent "quite freely and spontaneously, without any solicitation or demand from the British Legation." Will your Excellency permit me to remind you that besides Mr. Vereker's persevering efforts and the notes of this Legation, strong instances have been verbally made to your Excellency and your predecessor, and the late Minister of Justice? All the correspondence of the Rio Government and the local authorities, if not before made known *in extenso* to Her Majesty's Government, will, I presume, according to custom, be published in a future Relatorio. Should it appear, from a perusal of the whole correspondence and a general review of all the proceedings, that any injustice has been done to the Imperial Government, your Excellency may feel assured that it will be eagerly acknowledged.

I was quite aware that Senhor Taques had used, in his note of the 19th of April, the words which you quote, and which are to the effect that if any culpable negligence were discovered in the conduct of the Sub-Delegate of Tahim and the Inspector of the District, the President of the Province would not fail to give suitable censure. But Senhor Taques, in the



same note, made the following statements, which you do not cite :—

“From the information which the Undersigned has alluded to, it does not result that the Inspector of the district—who it may be observed in passing is not an authority; but a mere agent of authority—who lived at a distance of six leagues from the spot, or the Sub-Delegate of Tahim, who lived at the same or even greater distance, was blameable for what happened.” “The Undersigned does not understand why the Consul blames the Justice of the Peace of the district for not having immediately given knowledge of the fact to the superior authorities. The proper functionary for this purpose was the Sub-Delegate, and he did his duty.”

“The local authorities did their duty as far as was permitted by the distances and difficulties which prevented their proceeding more quickly. The Undersigned will observe to Mr. Christie that there can be no doubt that the authorities took on the occasion all possible measures, though they may have arrived later than was to be wished.”

These are the statements on which I founded my assertion, that Senhor Taques had, four months ago, not only seen no blame in any one, but had praised all the authorities. I admit, however, that the contrast between the two late dismissals and the statements of Senhor Taques, is much diminished by your Excellency's explanation, that the two functionaries in question have been dismissed without having been guilty of culpable negligence.

With regard to the Justice of the Peace, your Excellency follows the example of Senhor Taques, makes no attempt to explain the suspicious circumstances in his case, confines yourself to mere strong assertion, and says that “the mere fact of not being convinced of the connivance attributed by Mr. Vereker, should necessarily exempt the Justice of the Peace from all and any suspicion.” It becomes necessary for me to state to you fully the reasons why strong suspicion has fallen on Senhor Soares. The wreck probably took place on the 8th or 9th of June, your Excellency says the 9th. It is certain that on the 9th the fact of the wreck was known where Senhor Soares lives. A boy belonging to the house of Senhor Soares saw the shore strewn early on the morning of the 9th, and immediately reported it. News of the wreck was received by the Delegate of Police at Rio Grande on the 14th; and there had been, according to your Excel-



lency's admission, an unnecessary, though not culpable, delay of two days in the transmission of this intelligence. Senhor Soares had arrived at Rio Grande on the 12th, mentioned casually that he had heard a rumour that some bodies had been washed ashore, near his house, on being questioned denied all knowledge of a wreck, and immediately left Rio Grande for Pelotas, where he stayed some days out of the way. Mr. Vereker, when he arrived at the spot on the 16th, found in the house of Senhor Soares two new English Bibles in perfect condition, which had been taken out of cases washed on shore. Mr. Vereker also saw in his house two cases belonging to the "Prince of Wales," empty, but dry, and in perfect order, which were identified by the marks as cases which had contained fine manufactured goods, none of which have been produced. Senhor Soares is the leading man of that locality; most of the surrounding population are his relatives, *compadres*, or dependents, and goods were found in the houses of a number of his retainers. The ex-Inspector of the district, Faustino, is his son-in-law; his wife, the daughter of Soares, was in her father's house when Mr. Vereker visited the spot. Mr. Vereker has thus described his reception at his house:—"We were unwillingly received, though we offered to pay for everything. The daughter of Senhor Soares, Faustino's wife, was the only person to act; she was excessively fearful and suspicious, and above all, hearing that I was the English Consul, she seemed incommoded. That night we remained without refreshment, being most grudgingly admitted to shelter, and not receiving food either for ourselves or horses, a few biscuits, which I had happily carried in my saddle-bag, being the principal support of the party."

Your Excellency and your predecessor have made much of the difficulties in the way of collecting evidence and apprehending criminals in that locality; and Mr. Consul Vereker has stated his conviction, that unless Senhor Soares, who is powerful in the district, were first disgraced, there was little chance of obtaining information.

These are among the grounds on which Senhor Soares is suspected of connivance at the crimes of Albardao. Your Excellency will, I think, admit that something more than bare denial may fairly be expected from the Imperial Government. When the Sub-Delegate and Inspector have been dismissed, one for a trivial harmless fault, and the other on



account of unjust accusations, which have impaired his usefulness, I cannot understand how this Justice of the Peace should escape punishment.

On the subject of the suspected assassinations, your Excellency has now, for the first time, furnished me with some reasonings and statements in support of your strongly expressed contrary conviction. Your note will be communicated by the first opportunity to Her Majesty's Government, who will judge whether, under all the circumstances of this case, it can be considered proved that no murder was committed, or whether the conscience of the Imperial Government has not been too easily tranquillized. I am bound to say that, with the information which I have obtained from Her Majesty's Consul, Captain Saumarez, and others, I cannot admit the correctness of the statement that the public voice has never charged murder, and you will excuse me if I do not attach the same importance as yourself to the assertions in this matter of the inhabitants of Albardao and the neighbourhood, who are interested witnesses, or of the Inspector of Customs and adjutant of the guard, who can know no more than Mr. Vereker or any one else who was not on the shore when the wreck took place.

I avail, &c.,  
(Signed) W. D. CHRISTIE.

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Enclosure 3 in No. 58.

*Extracts from the Reports of the President and Chief of Police  
of the Province of San Pedro, Rio Grande do Sul.*

*Report of the President of April 10.*—"All the bodies did not disappear. Four of them were transported to Rio Grande, and being there examined by Dr. José de Pontes Franca, he declared that the cause of death was asphyxia, from drowning. It appears an extraordinary thing to the Consul that the bodies of the other shipwrecked people were not found; but it is very possible that the place of their graves had been lost. Everybody knows that the whole coast from Torres to Castillas (in the Oriental State) is composed of loose sand, which the wind blows about every day, raising in one hour very high sand-heaps, which the next are moved to another spot."



*Chief of Police, April 13.*—"The Consul's supposition that some of the shipwrecked people were the victims of assassination is unfounded, as the inquest held on the bodies shows nothing to corroborate such a suspicion. On the contrary, it is recognized that the shipwrecked people died from asphyxia from drowning. The public voice has neither at the time of the shipwreck nor now made mention of such a crime. There is not one positive fact."

*The President's despatch of May 14.*—"With reference to the arguments which the Consul brings forward relative to the fragments of the vessel, cargo, and boats, and the places where the bodies were found,—arguments totally refuted by the captain of frigate José Pereira Pinto, ex-administrator of the bar pilotage of the province, in his document of the 9th May. It was enough for the Consul to reflect on the force of the currents and winds in winter, and also the difference of weight between a human body and a case of merchandize or a ship's timber, to understand that it was impossible that they should all come to shore at exactly the same spot. It remains to be observed that the ship went to pieces, that the boat had the same fate, and that, the shipwreck having taken place at about a league from the shore, it was very difficult for the crew to survive the tempest."

*July 21. Charges brought against those accused by the Delegate of Termo.*—"From the inquiries made, it is proved that ten bodies came on shore already eaten by animals, and in a complete state of decomposition, there not being the slightest suspicion of there being any other cause of their death."

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Enclosure 4 in No. 58.

*Mr. Christie to Rear-Admiral Warren.*

Rio de Janeiro, September 13, 1862.

SIR,

I enclose you a translation of some extracts from reports made to the Brazilian Government from Rio Grande do Sul,\* which have been communicated to me to show that the suspicions of murder of some of the crew of the "Prince of Wales" are without foundation. You are already, I believe,

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\*Enclosure 3 in No. 58.



in possession of all the information furnished by Mr. Consul Vereker in support of those suspicions.

There are some points in this question which give special value to the opinion of a naval officer, and I should feel much obliged to you if you would communicate to me your opinion on the question of murder on the evidence now before us, for my guidance and for the information of Earl Russell.

I have, &c.

(Signed) W. D. CHRISTIE.

Enclosure 5 in No. 58.

*Rear-Admiral Warren to Mr. Christie.*

"Forte," Rio de Janeiro, September 23, 1862.

SIR,

I have the honour to acknowledge the receipt of your letter of the 13th instant, enclosing a translation of some extracts from reports made to the Brazilian Government from Rio Grande do Sul, communicated to you, to show the suspicions entertained of the murder of some of the crew of the "Prince of Wales" are without foundation, and requesting my opinion on the question of murder on the evidence now before us.

After a careful perusal of Mr. Vereker's report to the Secretary of the Board of Trade, dated 25th June, 1861, and also of his letter to the Delegate of Police at Rio Grande do Sul, dated 20th June, 1861, I was fully of opinion that Mr. Vereker was justified in his suspicions that the crew of the "Prince of Wales" had been unfairly dealt with, nor do the extracts you now forward to me from the reports of the President and Chief of the Police of the province of St. Pedro Rio Grande do Sul, lead me in any way to alter that opinion.

Heavy gales from east-south-east had visited the coast of Albardao on the 7th of June, 1861; on the 9th it is known in the neighbourhood that a wreck had taken place; and on the 16th Mr. Vereker arrives at the scene of the disaster, where he finds the ship's long-boat and gig on the beach with the oars in them, and close to them boxes such as merchant seamen keep their clothes in, broken open and empty, and although several were papered inside, there is no appearance



of their having been wet inside. The hull of the vessel he also sees half a league off apparently at anchor.

The question here arises how the boats could have got there without people in them? It is not possible that had the boats been upset, and washed on shore over the rocks on to the beach, they could have been in the condition described by Mr. Vereker, viz., "with the prow of the long-boat damaged, as if by striking on the sand, and the gig perfectly sound, and the oars in the boats;" nor is it likely that both would have come to the same spot. The inference, therefore, is that some of the crew got on shore in these boats, and it does not appear to me at all improbable that they were afterwards made use of to plunder the wreck, as Mr. Vereker states that on the 16th the "Prince of Wales" appeared as if at anchor, and that a large portion of the cases and crates on the beach, which were broken open and plundered of their contents, did not seem even wet.

The ship at that time had evidently not broken up, so it is not likely that so much of the cargo could have been washed out of her, and reached the shore in the condition the empty cases, &c., were in, when seen by Mr. Vereker.

When we also consider the unwillingness shown by the Inspector of the district to point out the spot where the bodies were buried, and which never were pointed out, the Municipal Judge being unable to compel the Inspector to point them out from his having an armed force with him, which, by Mr. Vereker's report, the Judge was evidently in fear of; I hold, therefore, that we are perfectly justified in coming to the conclusion that it was not without reason the bodies were kept back.

Mr. Vereker also found in the house of Senhor Bento Venancio Soares, Justice of the Peace of the district, a beautiful edition of the Bible, with a smaller one, confessed to have been taken out of the trunks, and showing no stains or signs of having been even damp.

From Mr. Vereker's statement of what he saw, I am of opinion that the crew and passengers, or several of them, did get on shore, and that the ship was plundered.

Where the jolly boat was found, about a league from the other boats, Mr. Vereker is informed several bodies were found near her, which I consider a proof that they landed in her; otherwise, it is not likely that a boat and four or five bodies would have drifted exactly to the same spot.



*Report of the President of April.*—"All the bodies did not disappear; four of them were transported to Rio Grande, and being there examined by Dr. José de Pontes Franca, he declared that the cause of death was asphyxia from drowning. It appears an extraordinary thing to the Consul that the bodies of the other shipwrecked people were not found; but it is very possible that the place of their graves had been lost. Everybody knows that the whole coast, from Torres to Castillas (in the Oriental State), is composed of loose sand, which the wind blows about every day, raising in one hour very high sandheaps, which in the next are removed to another spot."

That Mr. Vereker considers it extraordinary that the bodies of the other shipwrecked people were not found, he is quite justified in doing. When we bear in mind that only seven days had elapsed from the time of the wreck, even admitting that the winds and waves had drifted the sand over the graves, they could not have obliterated from the memory of those who buried them the place of their interment; it is also to be remarked that nothing whatever has been produced that was found on the bodies, and it is most improbable they would have left the ship without some of their valuables about their persons.

Mr. Vereker further states that three bodies out of the four sent up for the inquest had not been buried, which does not agree with the statement that the bodies were buried in the sand, nor is it to be credited that the trouble would have been taken to convey four dead bodies a very considerable distance from the beach and then left exposed.

*Report of Chief of Police of April 13.*—"The Consul's supposition that some of the shipwrecked people were the victims of assassination is unfounded, as the inquest held on the bodies shows nothing to corroborate such a suspicion; on the contrary, it is recognized that the shipwrecked people died from asphyxia from drowning. The public voice has neither at the time of the shipwreck nor now made mention of such a crime. There is not one positive fact."

Nothing in this report in any way shows that the Consul's suppositions of some of the shipwrecked people having been assassinated is unfounded.

The Consul is informed that ten bodies have been found; he demands them all, four are sent up.

He has demanded to be shown where the others have been buried, which is refused; he has, therefore, a perfect right to



suppose they have been kept back for a purpose. Had it been otherwise, we should then conclude that the authorities would have been as desirous of producing them as they have shown themselves to be determined to keep them back. Mr. Vereker before putting his name to the inquest, noted thereon his disagreement with the finding.

With respect to the assertion that "no mention has been made by the public voice, either at the time or now, of such a crime," I was informed by Captain Saumarez, of the "Forte," on his return from Rio Grande, that the affair was discussed in the newspapers, whilst he was there in the early part of May 1862, and that one of them attacked the other for stating that some of the crew were strangled. The impression was that the poor fellows were not all drowned, and on the 14th May, 1862, carts arrived at Rio Grande, with things that had been plundered from the "Prince of Wales," and the authorities took no notice, and some of the soldiers who accompanied the Consul to the scene of the wreck, it was also stated to him, were it not from fear, could give evidence on the question very confirmatory of our suspicions.

*The President's despatch of May 14.*—"With reference to the arguments which the Consul brings forward relative to the fragments of the vessel, cargo, and boats, and to the places where the bodies were found,—arguments totally refuted by the Captain of the frigate, 'José Pereira Pinto,' ex-administrator of the bar pilotage of the Province, in his declaration of the 9th of May, it was enough for the Consul to reflect on the force of the currents and the winds in winter, and also the difference of weight between a human body and a case of merchandise, or a ship's timber, to understand that it was impossible that they should all come to shore at exactly the same spot. It remains to be observed, that the ship went to pieces, that the boat had the same fate, and that the shipwreck having taken place about a league from the shore, it was very difficult for the crew to survive the tempest."

We are here told, that the Consul's arguments are totally refuted by the Captain of the frigate, José Pereira Pinto; but I do not see that such assertion is proved, as when Mr. Vereker visited the scene of the disaster, he distinctly states that the vessel appeared as if at anchor, about half a league off, and the boats on the sand but little injured, with their oars in them: and the place where it is stated the



bodies were buried, is not shown to him ; on the contrary is withheld.

On the 16th of June, not more than eight or nine days after the disaster, the ship had not gone to pieces ; the boats had not also shared the same fate, as stated in Captain José Pereira Pinto's report, but were in a sound state on the beach, with their oars in them ; and as Mr. Vereker could get no information as to where the bodies were stated to have been found, except that they came on shore two or three leagues to the northward, and the place of their interment, stated to have been in the sand, is refused to be shown him, he could have arrived at no conclusion as to the drifts. The attempted refutation is, therefore, no refutation whatever. It supposes an entirely different state of the wreck, &c., to that so clearly stated by Mr. Vereker existed.

*July 21. Charges brought against those accused of plunder by the Delegate of Termo.*—"From the inquiries made, it is proved that the bodies came on shore, already eaten by animals, and in a complete state of decomposition, there not being the slightest suspicion of there being any other cause of their death."

It is here stated, that from inquiries made, it is proved that the bodies came on shore, already eaten by animals, and in a complete state of decomposition. If so, how could the medical man have satisfied himself that the four sent up, died by drowning ; and if all ten came on shore in the same state, why could not the whole number have been forwarded for the inquest instead of four only, bearing in mind that the demand for an inquest was made only seven days after the disaster ?

It is also worthy of remark that when Mr. Vereker was at the place of the wreck, the captain was spoken of ; if the bodies were washed ashore in the state described, "eaten by animals, and in a state of decomposition," how could the captain's body be known from the others ? And nothing whatever is produced in the shape of clothes, papers, or anything which, under such circumstances, the captain of a ship would attempt to save.

I have, &c.,

(Signed)

RICHARD L. WARREN.

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No. 59.

*Mr. Hammond to Mr. Stephens.*

Foreign Office, October 29, 1862.

SIR,

I am directed by Earl Russell to acknowledge the receipt of your letter of the 20th instant, and I am to inform you in reply that Her Majesty's Minister in Brazil has been again instructed to press the Brazilian Government for compensation in the case of the "Prince of Wales."

I am, &amp;c.

(Signed) E. HAMMOND.

No. 60.

*Mr. Hammond to the Secretary of the Admiralty.*

Foreign Office, November 4, 1862.

SIR,

With reference to my letter of the 8th ultimo, I am directed by Earl Russell to transmit to you, for the information of the Lords Commissioners of the Admiralty, copies of further instructions which his Lordship will despatch to Her Majesty's Minister at Rio by the mail of the 8th instant,\* respecting the steps to be taken should the Brazilian Government refuse to concede the demands made by Her Majesty's Government in the cases of the "Forte" and "Prince of Wales."

The Lords of the Admiralty will perceive from these papers that Her Majesty's Government will be prepared to consider any proposal made by Brazil for an arbitration in these cases, and they will also learn the steps which Her Majesty's Government would propose should be taken if it becomes necessary to have recourse to acts of reprisal.

Lord Russell would suggest that copies of the instructions should be communicated to Admiral Warren by the mail of the 8th November, for his information and guidance.

I am, &amp;c.,

(Signed) E. HAMMOND.



No. 61.

*Earl Russell to Mr. Christie.*

Foreign Office, November 4, 1862.

SIR,

In case the Brazilian Government refuse to comply with the demands of Her Majesty's Government, in either of the cases of the "Forte" and "Prince of Wales," and if it should be evident that further negotiation is useless, it has been determined to enforce these demands by reprisal against Brazil.

In this event you will consult with Admiral Warren as to the best means of carrying out the objects that Her Majesty's Government have in view.

Her Majesty's Government are very reluctant to proceed to extreme measures against Brazil, except as a last resource, and any proposal on her part for arbitration on the questions at issue may be referred for the consideration of Her Majesty's Government.

I am, &c.,  
(Signed) RUSSELL

No. 62.

*Earl Russell to Mr. Christie.*

Foreign Office, November 8, 1862.

SIR,

In my despatch of the 4th instant I have informed you that if the Brazilian Government refuse the demands of Her Majesty's Government in the case of the "Forte" and "Prince of Wales," those demands will be enforced by reprisals, in case no proposal is made by Brazil for arbitration.

These reprisals might be in the shape of the seizure of some ship, or of some portion of the public property belonging to Brazil, to be held as a security until the Brazilian Government did justice in the respective cases, and then restored to them uninjured. But as such a course might lead to collision between the two Governments, it may be preferable that the property seized should be private property. On this point, you will, however, consult with Admiral Warren, to whose discretion Her Majesty's Government will leave it to decide as to the steps to be taken, should it unfortunately be necessary to have recourse to reprisals.

I am, &c.,  
(Signed) RUSSELL



No. 63.

*Earl Russell to Mr. Christie.*

Foreign Office, November 8, 1862.

SIR,

I referred to Her Majesty's Advocate-General your despatches of the 12th and 24th of September last, in which you report your further proceedings in the case of the "Prince of Wales," and I have now to state to you that Her Majesty's Government consider that the propositions which the Brazilian Government appears to allege by way of excuse, namely, that it is not to be considered responsible for probable murder and for certain robbery committed by its subject upon helpless foreigners, because the coast, the scene of the outrage, is deserted and inhospitable, or because after long delays it has failed in discovering the culprits, are propositions wholly inadmissible by the Government whose subjects have been injured.

It is clear that both the wreck and the unfortunate crew have been plundered, and the presumptive evidence is strong that the persons whose missing bodies are said to have been buried, but whose graves nobody can show, were murdered. It is, moreover, impossible that the Justice of the Peace on the spot, Soares, should not have been cognizant of what took place; indeed, the presumption from the evidence is strong that he participated in the robbery.

A great parade is made of the sufficiency of the Brazilian Government to discharge its own functions of causing justice to be administered, and of its legitimate jealousy of the interference of the British naval officers; but the result is that the murderers and robbers are undetected, and the supine, if not guilty, Justice of the Peace remains unpunished.

Under these circumstances, Her Majesty's Government adhere to their opinion that they are entitled to demand a moderate indemnity in this case, and they do not see any necessity for modifying the instructions which you have already received with regard to it.

I am, &c.,  
(Signed) RUSSELL

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No. 64.

*Mr. Christie to Earl Russell.—(Received December 3.)*

Rio de Janeiro, November 6, 1862.

MY LORD,

I have now the honour to enclose a translation of a further note which I have received from the Marquis of Abrantes, being a rejoinder to mine of the 18th of September, of which I forwarded a copy in my despatch of September 24th.

I have thought it well now to terminate this correspondence, and I enclose a copy of my short note to his Excellency, in which I say that I abstain from replying to him, and that I forward his note to your Lordship.

This note of the Marquis is very easily answered in every point, and your Lordship may be glad to have my comments on its various points.

1. The Marquis persists that he never spoke in his note of August 16th, of the dismissal of the two officials for culpable negligence, and says that, though he did not cite my exact words, he simply repeated my observation. In the note of the 16th August are these words: "Mr. Christie observes that in my last-cited note he was not informed of the dismissal of the Sub-Delegate and of the Inspector, who proceeded in the discharge of their duties with culpable negligence." Further on, the Marquis returns to the subject, and says, "This is why I did not include in my last note either the circumstance of the dismissals of the Sub-Delegate and Inspector or," &c. There is not one word said in the note as to their not having been dismissed for culpable neglect of duty. Must not every one consider this a complete admission that they were dismissed for that reason? And if they were not dismissed for that reason, what merit was there as towards us in the dismissals, and how could the dismissals be free from injustice? I feel no doubt that the casuistry to which the Marquis has resorted for explaining away culpable neglect of duty has been in order to escape from the liability for compensation which ensued from admitting it.

2. After acknowledging that I had misunderstood a statement of the Marquis as to the number of persons accused or imprisoned, which turned out to be less than I had supposed, I made what I believe your Lordship will think a legitimate observation. It was this: "The satisfaction with which Her Majesty's Government would hear of any new proceedings or



discoveries would always be mingled with regret that more effectual measures were not, earlier, or indeed immediately, taken ; and the smaller the new results, the greater will be that regret." This remark is distorted by the Marquis, who twits me with sorrow at finding less guilt than I had expected, and says that the Brazilian Government rejoice instead of grieving, and would rejoice more if the number of guilty were still less. My sorrow, of course, was not because there was less guilt, but because, where guilt and crime exist, and are admitted even by the Brazilian Government, less had been discovered and punished.

3. The Marquis of Abrantes pretends to explain the contradiction which I had pointed out between two reasons he had given for not supplying me with earlier information on two subjects, by representing that the two reasons did not refer to both subjects, but one to one of them, and the other to the other. Such blind temerity of assertion is wonderful. It is only necessary to refer to the note of the 16th of August to see that both subjects are distinctly referred to in giving both the reasons. The Marquis wonders what can be my reason in insisting on this contradiction, which, if it existed, he thinks unimportant. It is surely important to show the little care and consideration with which a Brazilian Secretary of State excuses himself in a question of gravity.

4. In answer to my distinction that I had not consulted Senhor Taques about the visit of a man-of-war, with Captain Saumarez, to Rio Grande, but informed him of it, offering the Captain's services, if the Brazilian Government chose to accept them, the Marquis maintains that this offer of services was a consultation, and that the man-of-war and Captain Saumarez ought not to have proceeded till I had received an answer from Senhor Taques. The fact, however, is that I told Senhor Taques that I wrote to the Admiral to send a ship and an officer, and it was therefore clear that I had no intention of waiting for an answer. What Senhor Taques should have done, was to send instructions to the President of the Province, how to reply to the offer of assistance from the naval officer who was coming ; and instructions from Rio might have reached the President of Rio Grande some time before the arrival of Captain Saumarez, who went from Monte Video after the receipt by the Admiral there of my despatch to him dated the same day as my note informing Senhor Taques. The neglect of not sending proper instruc-



tions to the President of the Province, it is now intended to cover with sophistry.

5. As regards the Justice of the Peace, Bento Soares, the Marquis now says that the denial of his guilt, and refusal to punish him, are founded on "the result of a process regularly instituted, during which all possible information was collected; and that the mere assertion of Mr. Vereker cannot prevail against such acts of the competent authority who proceeded in conformity with the law." This process must be the first inquiry held by the Delegate of Police, the imperfections and unsatisfactory character of which have been acknowledged in word and act by the Imperial Government. I extract from Mr. Vereker's despatch to this Legation of October 14, 1861, a short account of this inquiry: "An Indian, named Mariano, has been arrested as implicated in the robberies; he is stated to be an employé of Senhor Bento Soares; he has been a long time in jail, but it is said that no evidence can be obtained against him, the residents on the coast even disobeying the judicial orders to appear as witnesses. Two others, both in the employ of Soares, are stated to have fled to the Republic of the Uruguay. Senhor Soares himself has been examined, but it is stated that nothing was elicited. I had requested to be present at the examination of this person, as well as that of the Indian Mariano, but was not given the opportunity of being present." Thus Mr. Vereker, whose assertions will not now be listened to, was not examined or allowed to be present. The inquiry was a preliminary one, with a view to the indictment of those against whom sufficient *prima facie* evidence might be found. The result was the accusation of three individuals. After a later inquiry, eight more have been accused. We do not know what evidence was brought forward against Soares; Mr. Vereker's certainly was not obtained. But apart from legal trial, Soares is a Justice of the Peace, amenable to the Government for his general conduct and reputation; and would any right-thinking and well-administered Government abstain from taking notice of such imputations against a magistrate as have been made and well supported by Mr. Vereker, and from disgracing him if they were not satisfactorily answered?

Your Lordship may think we are in a position fairly to suggest to the Brazilian Government that, while the canvassing of a Judge in a suit pending before him against an Englishman by a high official in the Ministry of Justice is



passed over without notice, Her Majesty's Government cannot be expected to assign great value to any legal proceedings in Brazil.

6. Your Lordship will judge from the report made by Admiral Warren on the suspicions of murder, how far the Marquis is justified in saying that it has been "demonstrated that the suspicion of the murder of some of the crew was totally unfounded."

7. Your Lordship will understand the allusion made to Mr. Vereker's fallibility on questions of assassination. It is, of course, known to the Brazilian Government, as it is known to your Lordship, that Mr. Vereker, when he lately came to Rio from Rio Grande on his way home, was in a state of nervous excitement, with a delusion about attempts to assassinate him; but it might be suggested to the Brazilian Government that Mr. Vereker's illness may have been caused by the troubles, labours, and anxieties which the "Prince of Wales" question had brought upon him, by virulent abuse of the Brazilian press, and by obstructions and ill-will of the Brazilian authorities.

8. The note ends with an indignant protest against a supposed demand of mine for copies *in extenso* of all the correspondence of the Imperial Government with the local authorities in this question. The Marquis of Abrantes had sent me a series of dates of despatches to the President of the Province, asserting that all those despatches had been sent spontaneously. Neither I nor any one else could form any judgment from the dates. I remarked that Her Majesty's Government were not satisfied that the Brazilian authorities had acted so promptly and spontaneously in this question as was asserted; but that, if all the correspondence *in extenso* were not previously communicated to Her Majesty's Government, I supposed that it would all be published according to custom in a future annual Report; and that if, after perusal of all the correspondence, and on a review of all the proceedings, Her Majesty's Government came to think they had been in any way unjust, injustice would be eagerly acknowledged. I think this remark does not threaten Brazilian independence, and need not rouse Brazilian indignation. If the correspondence is published in a future annual Report, it is to be hoped that the whole will appear, or that there will be a fair publication.

I have thus commented on all the important topics of this



note, and it will be for your Lordship to judge whether it is desirable to make any reply to the Brazilian Government.

I leave it to your Lordship to appreciate the tone of the Marquis's note, which seems to me not very becoming.

I have, &c.,  
(Signed) W. D. CHRISTIE.

Enclosure 1 in No. 64.

*Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, October 20, 1862.

(Translation.)

With reference to the shipwreck of the barque "Prince of Wales," Mr. William Dougal Christie, &c., addressed to me the note dated the 18th ultimo, of which I acknowledge receipt, and the contents of which may be summed up in the refusal to accept the principal explanations, elucidations, and information which as regards the occurrences proceeding from the said deplorable event, I have in the frankest manner, on the part of the Imperial Government, furnished to Her Britannic Majesty's Legation; and in supporting and insisting on the opinions and arguments previously produced by Mr. Christie in his correspondence on this subject.

The consciousness that the Imperial Government had loyally and anxiously fulfilled its duty, not less than the desire to satisfy the claims of Her Britannic Majesty's Legation in favour of the rights and just interests of its countrymen, led me not only to use the greatest frankness and minuteness in the explaining to Mr. Christie the proceedings of the said Government, and of the subaltern authorities of the province of St. Pedro do Sul, relative to the deplorable event in question, but also to take pains to remove from Mr. Christie's mind, in elucidating and explaining them, the apprehensions and the doubts which on this subject he has been putting forth in the divers notes which he has done me the honour to address to me.

Unhappily, however, I observe that from my efforts the hoped for result has not ensued; for, notwithstanding all the explanations, elucidations, and information so frankly and loyally furnished, Mr. Christie is not yet satisfied, and, so to say, persists in his original opinion.

Under such circumstances, seeing that the discussion would



become interminable, and that no advantage would ensue from its continuance, in the brief reply which I am going to present to Mr. Christie's note, I will restrict myself to correcting the inaccuracy of some of his propositions: protesting, at the same time, against a new principle or doctrine which Mr. Christie appears to be desirous of establishing, and to which the Imperial Government cannot certainly assent.

The first inaccuracy which Mr. Christie will allow me to correct is that in which he says that in my note of the 16th of last August, in answering his query respecting the dismissal of two officials, without citing his own words, I spoke of the dismissal of the two officials referred to, who, in the discharge of their duties, proceeded with culpable negligence.

The unprejudiced reading of the part of my note to which Mr. Christie alludes is sufficient to demonstrate that I alleged nothing on my part to that effect, having confined myself to repeat, though not *ipsis verbis*, what Mr. Christie had said.

Consequently, the inference which Mr. Christie chose to draw from that pretended allegation of mine, that is, that I myself recognized the culpable neglect of those officials, is not exact.

In my said note of the 16th of August I announced to Mr. Christie that the inquiries had been concluded, the result being that eleven individuals were accused of the crime of robbery.

Mr. Christie understood from these words that, besides those eleven individuals, there were also the three of whom I spoke in my preceding notes, and others who were supposed to have taken refuge in the neighbouring State.

In order to remove the error under which Mr. Christie laboured, I stated to him, in my note of the 6th ultimo, that eleven was the number of the individuals accused as criminals, and that nothing else could be deduced from my note of the 16th of August.

Mr. Christie now admits his error, but thinks it convenient and fitting to add that it is to be regretted that the satisfaction which he felt at the accounts of new discoveries should be mingled with sorrow that the result fell so short of his expectations.

In this respect I have only to observe that I am by no means responsible for the regret experienced by Mr. Christie, who otherwise has exclusively to attribute it to himself for not having properly understood the words of my note of the



16th of August, which have in no way been since modified or altered.

And if Mr. Christie had the frankness to confess the sorrow which was caused him by the knowledge that there were not more than eleven accused of crime, the Imperial Government, on this point, is of a contrary opinion in wishing that that number was still less, or rather that, in so lamentable a case, there was not a single guilty person.

Mr. Christie again compares two passages in my note of the 16th of August, in order to detect me in contradiction in the explanation of the causes why certain information had not been earlier furnished to the British Legation; observing, on one side, that I did not give the information referred to because I did not possess it, and on the other because I did not wish to do so.

I am, therefore, in order to correct this inaccuracy, compelled to repeat that the two passages to which Mr. Christie alludes have reference to entirely different subjects.

In the first case, the information relative to those who are accused of robbery only reached the Imperial Government on the 14th of August; and in the second, I replied to Mr. Christie that the said Government was more desirous to answer the calls of justice than to acquire the good opinion of the British Government, although it greatly appreciated the same.

I, however, added that the Imperial Government would not hesitate in furnishing, at a suitable time, every information on the subject, or even when called on for it by Her Britannic Majesty's Legation, if the Imperial Government should be in possession of the necessary data for that purpose.

It is not, therefore, possible for me to discover the object or end of this persistence on Mr. Christie's part, unless by attributing it to a desire to detect me in a contradiction which really does not exist, and which has no importance whatever.

Mr. Christie says I was mistaken in supposing or declaring that he had consulted Councillor Taques whether the Imperial Government would admit the visit of an officer of the English navy; and, as explaining his meaning, he now asserts that he only informed Senhor Taques of the fact, because he did not think it necessary to consult the Imperial Government respecting the visit of an officer or a ship of the English navy to any port of the empire.

Mr. Christie thus places the question upon an entirely new



footing. The Imperial Government never had the pretension of being consulted, nor did it ever think that it should be, about the entrance of an English officer or ship into a port of the empire.

The question was as to the object of the presence of Captain Saumarez and of the vessels which accompanied him. Now the object of official attendance at the inquiry, to which the authority of the country had to proceed, was undisguisedly revealed by Captain Saumarez himself, and by Consul Vereker, in their interviews with the President of the Province on the 6th and 7th of last April; and not even did Mr. Christie deny it but confirmed it, for in his note of the 16th of July, referring to Captain Saumarez and the refusal on the part of the Imperial Government to admit his official intervention, he declared very expressly and positively that the question could not be resolved in a satisfactory manner, without a complete inquiry made in the presence of a British officer.

Therefore, such being Mr. Christie's intention, it is clear that he ought to have consulted the Imperial Government, as he really did consult it, according to the evidence of his own words, "I offered the assistance of the naval officer to the Brazilian Government, if they chose to accept it."

It therefore appears clear that Mr. Christie ought to have awaited the answer of the Imperial Government before deciding upon the coming of the officer for the purpose pointed out.

If Captain Saumarez or any other English officer had presented himself without exhibiting pretensions of the nature in question, and which he doubtless derived from instructions received, no refusal would certainly have been made by the local authorities, nor would the Imperial Government have had any observation to offer.

If, however, such instructions existed, and Captain Saumarez was not received, the reason was because Mr. Christie had not waited for the reply of the Imperial Government.

Mr. Christie further states, that his Government is far from being convinced that the Imperial Government has acted spontaneously and promptly in this deplorable affair, and continues to maintain that the Imperial Government would have done nothing without the notes of the British Legation, the intervention of Mr. Vereker, and finally without the conferences between Mr. Christie and the Brazilian Minister for Foreign Affairs.



If, happily, Mr. Christie has not denied that the despatch of the 26th of December 1861, to which this Ministry has twice called his attention, preceded the note of the British Legation of the 17th of March last, it is nevertheless certain that, in generalising the question, he continues to maintain his favourite proposition, that only to himself and Mr. Vereker the glory appertains of all that the Imperial Government has done.

Recalling the facts, it is to be observed that Mr. Christie commenced by insinuating, in his note of the 14th of August, that the impulse given to the Imperial Government was due to the demands of the British Legation.

By my note of the 16th I proved the contrary, to which Mr. Christie subsequently replied in his note of the 22nd, presenting Mr. Vereker as the auxiliary mover.

Having also proved by my note of the 6th ultimo the groundlessness of this allegation, Mr. Christie now has recourse to his conferences with the Minister for Foreign Affairs.

Thus, as it appears, it is pretended that the source must necessarily be English from which the measures taken in this distressing subject emanated, Mr. Christie not choosing to recognize any initiative of the Imperial Government.

But, it being certain that the facts already repeatedly explained protest against such a conclusion, nothing more remains for me to say on this point.

Though Mr. Christie, in order to justify the distrust occasioned by the assertions of Councillor Taques, admits that that gentleman had in fact declared that the Imperial Government, if culpable negligence in the proceedings of the Sub-Delegate or Inspector were to come to its knowledge, would duly punish them, he nevertheless quotes that Councillor's words in which he says that the authorities had fulfilled their duty.

Mr. Christie, doubtless unintentionally, has inverted the assertions of Councillor Taques, the result of which is, that the first prevails over the second, or rather that the latter is entirely neutralized.

In placing, however, those allegations in the order in which they were presented, what is seen is, that Councillor Taques said, in the first place, that what was known was, that up to the moment in which he was writing to Mr. Christie (the 19th of April), the authorities had proceeded as they ought to have done, and he subsequently made the proper reserve



for the event of its being ascertained by further inquiries that the said authorities had been remiss in the performance of their duties.

Consequently there is no plausible motive in this proceeding for authorizing the apprehensions of which Mr. Christie's mind is possessed.

Mr. Christie persists in the suspicion of the culpability of the Justice of the Peace, Bento Soares, based on the assertions of Mr. Vereker, which he has the goodness to refer to, and wonders that the said Justice has remained unpunished, whilst the Sub-Delegate and the Inspector were dismissed, the former for a trifling fault, which was of no consequence, and the latter for the simple convenience of preserving to the authority the necessary prestige, expecting from the Imperial Government under such circumstances something more than a simple denial.

To all that I have said on this subject in my previous notes I will only add, that the denial of the Government is founded on the results of a process regularly instituted, during which all possible information was collected; and that the mere assertion of Mr. Vereker cannot prevail against such acts of the competent authority, who proceeded therein in conformity with the law.

By the documents which accompanied my note of the 6th ultimo, it was demonstrated that the suspicion of the murder of some of the shipwrecked crew was totally unfounded.

Mr. Christie's reply to the same is, that the assertions of the inhabitants of Albardao and of the neighbouring places, as well as those of the Inspector of the Custom-house and of the Chief Guard's assistant, are not worthy of credit.

If that is the case, whom shall we seek in order to satisfy Mr. Christie, who does not confide in the testimony of the inhabitants of the place and of its neighbourhood, and further refuses that of the proper authorities?

Therefore, what can be the object, what the utility of fresh inquiries, upon which Mr. Christie so much insists? Who is to be employed in such inquiries, whose depositions are to be taken which may not be suspected by Mr. Christie?

From Mr. Christie's words the inference is, that Mr. Vereker's information alone deserves to be credited, whilst that gentleman's infallibility respecting the discovery of crimes such as those in question, may without injustice, as Mr. Christie knows, be contested.



The principal propositions in Mr. Christie's note being thus corrected, I will conclude with the protest to which I alluded at the commencement.

Mr. Christie says that if the knowledge *in extenso* of the despatches of the Imperial Government should not be imparted to him, these despatches will be published in the next Report of this Ministry to the Legislative body; and that if it should result from their perusal that the British Government has been unjust towards that of Brazil, Mr. Christie will be eager to acknowledge it.

If from the act of deference and courtesy on the part of the Imperial Government towards that of Her Britannic Majesty, in furnishing to its Representative at this Court a summary of the orders issued to the subaltern authorities of the Administration, in regard to the occurrences arising from the shipwreck of the barque "Prince of Wales," Mr. Christie pretends to derive the right of exacting that those orders be integrally brought to his knowledge, I must declare to Mr. Christie that the Imperial Government does not acknowledge such a right, and solemnly protests against it.

The Imperial Government will in due time account for its proceedings, not to Her Britannic Majesty's Government, nor to Mr. Christie, but to the country, represented by the General Legislative Assembly, the only supreme arbiter of its acts.

However valuable and worthy of respect may be the opinion of Her Britannic Majesty's Government, or of any other Government, it certainly cannot be expected or pretended that it can condemn or absolve acts done within the limits of its own jurisdiction by an independent Government such as Brazil prides itself on being.

I renew, &c.

(Signed) MARQUIS OF ABRANTES.

Enclosure 2 in No. 64.

*Mr. Christie to the Marquis of Abrantes.*

Petropolis, October 22, 1862,

M. LE MARQUIS,

I beg to acknowledge the receipt of your note of the 20th instant, on the affair of the British barque "Prince of Wales."



Agreeing with your Excellency that it is not desirable to prolong this correspondence, I abstain from replying. Your note will be forwarded to Her Majesty's Government, who are already in possession of all the preceding correspondence.

I avail, &c.,  
(Signed) W. D. CHRISTIE.

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No. 65.

*Mr. Christie to Earl Russell.—(Received December 3.)*

Rio de Janeiro, November 6, 1862.

MY LORD,

I have received your Lordship's despatches of October 8, instructing me as to demands to be made on the Brazilian Government in the questions of the vessel "Prince of Wales," and the assault on the officers of the "Forte."

After much reflection I have thought it right to defer addressing a note to the Brazilian Government on the "Prince of Wales" question, until I know your Lordship's opinion on the further correspondence which I sent to you in my despatch of September 24, or at any rate until I have received the further instructions, which are promised by the next mail, as to the conduct which I am to pursue in the event of a refusal to comply with the demands of Her Majesty's Government.

Your Lordship's demand on the Brazilian Government for compensation for the plunder of the "Prince of Wales" is based on "the culpable proceedings of their authorities, whose guilt they have at length discovered and admitted." Your Lordship will since have learnt that the Brazilian Government deny that the dismissed officials have been guilty of culpable neglect. I have my own opinion about this denial; but in a matter of such importance I think it right to be on the safe side, and to wait until I know what view is taken of it by the Government.

It occurs to me as possible that Her Majesty's Government may regard the latter note of the Marquis of Abrantes as aggravating the wrong of the Brazilian Government.

It also forcibly occurs to me that your Lordship may wish to take a stronger tone, or perhaps even higher ground, on the question of the probabilities of murder of the crew, after



you have read the cogent letter of Admiral Warren, which I also forwarded in my despatch of September 24. Your Lordship may know that at an early stage of this question I had some misgivings as to the charge of murder; but the Report of Admiral Warren, which your Lordship will by this time have read, seemed to me to be as near an approach as possible to positive demonstration of murder, on a comparison of circumstantial evidence, after the culpable neglect of the Brazilian authorities to hold an inquest immediately has brought us to the necessity of making the best of other means of inquiry.

Having determined, for these reasons, to postpone addressing the Brazilian Government on the "Prince of Wales" question, I have thought it better to postpone also sending in the note which your Lordship has ordered in the question of the "Forte," as until I have received the further promised instructions for the case of refusal, I cannot judge how the two questions may be mixed up in your instructions for action.

I have consulted with Admiral Warren, and learnt that postponement is in no way inconvenient to him with reference to his ships.

Under these circumstances I hope your Lordship will approve of my delay, which I think cannot in any respect be injurious.

I have received no communication whatever from the Marquis of Abrantes about the "Forte" case, and I expect none. Your Lordship will judge from the tone of his note on the "Prince of Wales" question transmitted in my preceding despatch, what chance there is of reparation in this matter unless from fear of force.

It is likely that I may receive by the steamer which leaves England at this time instructions from your Lordship with reference to my despatch of September 24, which may relieve me from all doubt; but should that not be so, I shall not hesitate to wait another month, till I receive an answer to this despatch.

I take the precaution of asking Her Majesty's Minister at Lisbon to telegraph to your Lordship to inform you that a despatch is on its way, which you may wish to answer by return steamer.

I have, &c.,  
(Signed) W. D. CHRISTIE.



No. 66.

*The Secretary to the Admiralty to Mr. Hammond.—(Received December 4.)*

Admiralty, December 3, 1862.

SIR,

With reference to your letters of the 8th October and 4th November, respecting the steps to be taken, should the Brazilian Government refuse to concede the demands made by Her Majesty's Government in the cases of the recent outrage on the officers of Her Majesty's ship "Forte," and the plunder in June 1861 of the wreck of the British ship "Prince of Wales," I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Earl Russell, an extract from a letter of Rear-Admiral Warren, dated the 7th instant, reporting that he has made arrangements for having a squadron in the neighbourhood of Rio de Janeiro by the first week of the present month in readiness to proceed to reprisals, if necessary, to obtain satisfaction from the Brazilian Government.

I am, &amp;c.

(Signed) C. PAGET.

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Enclosure in No. 66.

*Rear-Admiral Warren to the Secretary to the Admiralty.*

"Madagascar," Rio de Janeiro, November 7, 1862.

(Extract.)

Having, in compliance with their Lordships' letter of the 8th ultimo, placed myself in communication with Mr. Christie, Her Majesty's Minister, and ascertained his views on the subject of the instructions from Her Majesty's Government to proceed to reprisals, if necessary, to obtain satisfaction in the case of the outrage committed on the officers of the "Forte," and with regard to the plunder of the wreck of the British ship "Prince of Wales," I have accordingly made arrangements to have all the squadron in the neighbourhood of Rio by the first week in December, except two gun-boats, which I shall leave in the River Plate.

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No. 67.

*Mr. Stephens to Earl Russell.*—(Received December 10.)

15, Dixon Street, Glasgow, December 9, 1862.

MY LORD,

I fully expected, ere this, that some definite arrangement would have been made for the settling of the claims made by me on behalf of the wives and families of the murdered crew of the late barque "Prince of Wales," and also for the stores and cargo of that ship, plundered by the Brazilian authorities and subjects. I have again to call your Lordship's attention to this matter, as we are beset by the relatives of the deceased, who are very boisterous for compensation, and we consider very justly so, as you are aware that compensation has been made to foreigners by our Government even in cases of plunder by the inhabitants. We delayed writing, expecting the last mail would have brought some settlement of this matter.

I have, &c.,  
(Signed) R. P. STEPHENS.

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No. 68.

*Mr. Christie to Earl Russell.*—(Received January 2, 1863.)

Rio de Janeiro, December 8, 1862.

(Extract.)

On receipt of your Lordship's despatch of the 8th November, which is a reply to mine of the 24th September on the question of the "Prince of Wales," I have immediately proceeded to act on your Lordship's previous instructions as to the demands to be made for the plunder of the wreck of the "Prince of Wales," and for the outrage on the officers of the "Forte." Copies of the two notes which I have addressed to the Marquis of Abrantes making these demands, and in which I have closely followed your Lordship's language and reasoning, will be forwarded by the next opportunity. I thought it well to write at the same time a third note, of which I enclose a copy, asking the Marquis to endeavour to give me answers by the 20th of this month, which leaves him a whole fortnight, and assuring him of the deep regret which will be



felt by Her Majesty's Government if the answer in either case precludes all hope of amicably obtaining satisfaction.

By these last words I have thought I should forward your Lordship's wishes by suggesting that, even if the demands are not acceded to, an opening might be left for negotiation; and I have been anxious to suggest a time within which answers should be given, on account of the great dilatoriness of the Brazilian Government, and because it is not desirable to keep Her Majesty's vessels long in the harbour of Rio in the present season.

I have already had some conversation with Admiral Warren on the best course to be pursued, should it be necessary to proceed to reprisals. Your Lordship may feel assured that full deference will be paid to your suggestion that private rather than public property should be seized. I observe your Lordship's desire to avoid proceeding to reprisals, if it is possible. Your Lordship may depend on my doing all that is in my power, consistently with what I believe to be due to our dignity and general interests, to avoid a recourse to the violent measures which your instructions authorize; but your Lordship will not have failed to perceive from my late despatches, including several which will have reached you since the last instructions before me were penned, that the general proceedings of the Brazilian Government are most unsatisfactory, and show a great indisposition to do justice, and I anticipate much benefit for British interests in Brazil from the lesson which may now be administered, and may teach them that Her Majesty's Government, though patient and forbearing, will not in the end allow themselves to be trifled with.

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Enclosure in No. 68.

*Mr. Christie to the Marquis of Abrantes.*

Petropolis, December 5, 1862.

M. LE MARQUIS,

The subjects of two other notes which I address today to your Excellency have been so long under the consideration of the Imperial Government that it cannot be thought unreasonable if I ask you to endeavour to furnish me with answers by the 20th of this month.

I need not say what pleasure it will give me to be enabled



to inform Her Majesty's Government, by the next French steamer, that their wishes are complied with.

I would also assure your Excellency that it will cause the deepest regret to Her Majesty's Government if the answer to either note should preclude all hope of amicably obtaining satisfaction.

I avail, &c.,  
(Signed)

W. D. CHRISTIE.

No. 69.

*Earl Russell to Mr. Christie.*

Foreign Office, January 5, 1863.

SIR,

I approve the steps taken by you, as reported in your despatch of the 8th ultimo, to give effect to the instructions which you have received regarding the cases of the "Forte" and "Prince of Wales."

I am, &c.

(Signed) RUSSELL

No. 70.

*Mr. Christie to Earl Russell.—(Received January 21, 1863.)*

Rio de Janeiro, December 15, 1862.

MY LORD,

With reference to my despatch of the 8th instant, I have the honour to enclose copies of two notes which I addressed to the Marquis of Abrantes on the 5th, in obedience to your Lordship's instructions on the subjects of the ill-treatment of the officers of her Majesty's ship "Forte," and of the plunder of the wreck of the "Prince of Wales."

Your Lordship will see that in the note on the latter subject, which is mainly founded on your Lordship's despatch of the 8th of October, I have incorporated some of the observations made in your Lordship's later despatch of the 8th of November.

I have, &c.  
(Signed) W. D. CHRISTIE.



## Enclosure I in No. 70.

*Mr. Christie to the Marquis of Abrantes.*

Petrópolis, December 5, 1862.

M. LE MARQUIS,

Her Majesty's Government have instructed me to address your Excellency on the subject of the serious outrage committed on the 17th of June by a Brazilian police-guard on the officers of Her Majesty's "Forte," and the subsequent imprisonment of these officers attended with many circumstances of indignity; and I am much concerned to find myself, on the receipt of the instructions which it is now my duty to execute, without any answer from your Excellency to the note which I addressed to you on the 19th of August.

Her Majesty's Government have carefully considered the depositions and evidence taken in the case, and they can come to no other conclusion but that the version given by the three officers is true, and that the defence set up is unworthy of credit.

The officers' statement is as follows:—

Having obtained leave to go out on a pleasure excursion, they dined moderately at an hotel on the Tijuca hill, and were hurrying back to catch the omnibus for Rio when they passed the sentry of the guard-house at Tijuca. Mr. Clemenger, the chaplain, who was in advance with Mr. Hornby, was approached by the sentry, and he had scarcely time to ask in Spanish what the sentry wanted, before he was struck by the butt of the sentry's musket, and stabbed at with his bayonet. The sentry at the same time called out the guard, who rushed upon the three officers and after much violence drove them into the guard-house; Lieutenant Pringle alone having made any resistance to the brutal violence that was used against them. On being lodged in the guard-house prison they asked to see the officer of the guard, who, after the lapse of ten minutes or a quarter of an hour, made his appearance for the first time. They immediately gave on paper their full names and rank, first direct to the officer, and secondly through an interpreter, and wrote to their Captain and to the British Consul to inform them of their position. But these letters, it appears, were withheld, and were not forwarded to their destination. Two of the party were confined for the night in a room called the "refectory," and the third in the



prison, and on the following morning they were ignominiously marched on foot guarded by an escort, though they offered to pay for a conveyance, to the City Police Court at Rio, where they again wrote out their names and rank. They were then put into a filthy prison among criminals of the lowest class, the prison official admitting that he was aware that they were British officers; and after the lapse of two hours, and at the intercession of the British Consul, with whom they had managed to communicate, they were removed into a less dirty prison, and subsequently to the police barracks, where at last they were civilly treated. At half-past 11 on the following morning they were released by a written order of the Chief of Police, no reasons being given for their imprisonment or for their liberation.

Such is shortly the story of these officers taken from their depositions, and as they have never varied in their statements, which are probable and consistent, and as they have expressed a strong desire to be confronted with the adverse witnesses, Her Majesty's Government are impressed with the conviction that their story is strictly true, as was indeed to be expected from their characters as officers and gentlemen.

On the other hand, the version of the affair, given by the Brazilian police, is supported by evidence in which no confidence can be placed.

They state that the officers were drunk, and that they annoyed the passers-by on the road between the hotel and the guard-house; but it is remarkable that no passer-by has been produced to give evidence on this point, and that in the original charge preferred against them by the officer of the police-guard, of which a copy was given them, no mention was made of their being drunk, and no witnesses have been produced who had been annoyed by them on the road. The officer and soldiers of the guard have deposed as to the circumstances of the commencement of the affray between the British officers and the sentry; when by their own admission they were not present at the time; and it is to be observed that the Brazilian officer, more particularly, has deposed to all the circumstances of the struggle with the guard, while it is positively affirmed that he did not appear until ten minutes after the prisoners were lodged in the guard-house prison.

It is impossible to believe on other points evidence of a witness whose statement is so palpably untrue on this point,



and Her Majesty's Government cannot doubt that the officer of the Brazilian guard was perfectly aware of the nationality and rank of his prisoners.

Her Majesty's Government regard this matter in a serious light, and cannot submit to leave such an outrage unatoned for. I am accordingly instructed to demand from the Imperial Government:—

1. That the Ensign of the guard shall be dismissed from the service ;
2. That the sentry who commenced the attack shall be adequately punished ;
3. That an apology be made by the Brazilian Government for this outrage on British naval officers ; and
4. That the Chief of Police, and the official who received the officers at the Rio police-station, be publicly censured.

I avail, &c.

(Signed) W. D. CHRISTIE.

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Enclosure 2 in No. 70.

*Mr. Christie to the Marquis of Abrantes.*

Petropolis, December 5, -1862.

M. LE MARQUIS,

Her Majesty's Government have instructed me to address to your Excellency the following communication on the subject of the sad events which followed the wreck of the English barque "Prince of Wales."

This wreck, which probably occurred on the 7th or 8th of June of last year, was first heard of by Her Majesty's Consul at Rio Grande do Sul on the 13th of that month, through Senhor Bento Venancio Soares, a Magistrate of Albardao, who had stated in conversation that some bodies had been washed ashore near his house, but professed to have no knowledge of a wreck.

Subsequent inquiries, however, induced Her Majesty's Consul to suspect that a British ship had been wrecked, and he consequently left on the following day for the coast of Albardao, with the Municipal Judge, and a small Customs guard, and arrived at the house of Senhor Bento Soares, where they were received with evident reluctance by his daughter, her father being absent.

Early the following morning the party visited the scene of



the wreck, and found the shore strewn with its relics, and with parts of the cargo, such as casks, barrels, seamen's trunks, &c., some of which had evidently been dashed to pieces on the beach, but others of which had as evidently been very recently broken open, and plundered of their contents. The linings of some of the trunks were quite dry, as if they had been safely brought on shore in boats. Ten bodies were stated to have been discovered, some of them a long way from the beach, but no money or watches were forthcoming. Property from the wreck, uninjured by water, was found in the house of Senhor Bento Soares.

No inquest having been held on the bodies by the Sub-Delegate of the District, Mr. Vereker proposed to view them ; but this was strongly objected to in a most suspicious manner by the Inspector of the District, who was met with on the shore accompanied by an armed force.

Mr. Vereker then returned to Rio Grande, and applied for assistance to convey the ten bodies thither for inquest and burial. The assistance was given, though at the time Mr. Vereker had to defray all expenses ; but only four of the bodies arrived at Rio Grande.

Inquests were subsequently held on the bodies at Rio Grande, and on those at Albardao, at the latter place by Sub-Delegate Gonçalves, now dismissed, assisted by the brother-in-law of Senhor Soares, Senhor Pereira de Sousa, who is said to have headed a party of plunderers of the wreck. One body only was disinterred ; the others were found unburied, and in an advanced state of decomposition. The verdict on all was in effect, "found drowned," though there were most suspicious circumstances attending the discovery of some of them, stripped of their clothes, and far beyond the reach of the tide at high water.

After repeated and earnest applications from Mr. Vereker for a searching inquiry, he at length heard, on the 18th of September, that one man had been convicted of being in possession of property stolen from the wreck. The President of the Province stated at the same time that the chief culprits had fled, and he pleaded the great difficulty of inducing the inhabitants to give any evidence at all in the case. Later in December, the same reasons were pleaded for the unsuccessful result of a further inquiry, and although it has been admitted from the first that the wreck was plundered, it was not until August of this year, fourteen months after the wreck occurred,



that your Excellency stated that two of the officials, whose conduct had been previously praised, had been dismissed, and that eleven persons were accused of plundering the wreck. But Senhor Bento Soares is declared to be free from all accusation, and has not been put on trial. It seems to Her Majesty's Government impossible that Soares should not have been cognizant of what took place; indeed, the presumption from the evidence is strong that he participated in the robbery.

Your Excellency has been good enough to say that the Imperial Government have quite satisfied themselves that none of the crew of the vessel were murdered. Her Majesty's Government are by no means satisfied of this. The presumptive evidence is strong that the persons whose missing bodies are said to have been buried, but whose graves nobody can show, were murdered. But this question of murder is one which could only have been entirely set at rest by an immediate inquest on all the bodies of the crew, and by a prompt and searching investigation.

Her Majesty's Government regard the excuses made by your Excellency in order to evade responsibility,—that the coast, where these outrages have been committed by Brazilian subjects on helpless foreigners, is desert and inhospitable, and that after long delays the Imperial Government has failed in discovering the culprits, as totally inadmissible by the Government whose subjects have been injured.

The time is come when Her Majesty's Government must ask compensation for the plundering of the wreck and of the bodies; and they must look for this compensation to the Imperial Government as being responsible for the losses occasioned by the culpable proceedings of their authorities.

I am, therefore, instructed to demand from the Imperial Government compensation for the losses that have been occasioned to the owner of the "Prince of Wales," by the wholesale plunder of the wreck, and also for the robberies of property of the crew.

The owner claims:—

			£	s.	d.
For cargo and stores	-	-	5,500	0	0
For freight	-	-	1,025	19	0
			<hr/>		
			6,525	19	0

Her Majesty's Government do not commit themselves to



the amount thus claimed ; and it will be incumbent on the owner to produce a properly certified estimate of the value of the cargo and stores. But when the Imperial Government shall have admitted the principle, Her Majesty's Government are prepared to accept a fair arbitration on the question as to the actual amount, of compensation to be made, and they will also leave to the arbiter or arbiters to determine the amount of the compensation to be made to the relatives of the people on board, whose bodies were stripped and plundered.

In conclusion, I am instructed to state that Her Majesty's Government, having regard to the extraordinary delay and procrastination of the Brazilian authorities in this grave matter, must insist that any such arbitration shall be set on foot without loss of time, and shall be conducted with all possible speed to an issue.

I avail, &c.  
(Signed) W. D. CHRISTIE.

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No. 71.

*Mr. Christie to Earl Russell.*—(Received January 21, 1863.)

Rio de Janeiro, December 24, 1862.

MY LORD,

I am unable, as I had hoped, to report by this opportunity definitively on the questions of the "Prince of Wales" and the officers of the "Forte."

Having asked the Marquis of Abrantes to endeavour to answer me by the 20th, I arrived in Rio on the morning of that day, and not finding answers waiting for me, I sent Mr. Brodie to the Secretary of the Marquis, to ask when I might expect answers. Mr. Brodie was informed by the Secretary that the answer in the case of the "Forte" was not quite ready, a report which was expected from the Ministry of Justice not having reached the Marquis ; and that, further, there was to be a meeting of the Cabinet that evening (Saturday the 20th), when the answers would be finally settled, and that I might count on receiving them on the morning of Monday the 22nd. The Secretary entered into some further explanations about the notes, from which it was to be inferred that the two questions were to be discussed, and that in neither case would all the satisfaction which had been demanded be given.



On Monday morning, the 22nd, I received the note of which I enclose a translation, which is dated the 18th, and which simply informed me that the Government of the Emperor had determined to charge their Minister in London to confer with the British Cabinet on the two questions.

If any reliance is to be placed on what was told to Mr. Brodie by the Secretary of the Marquis, on the 20th, it is to be inferred that the Cabinet changed their plan of proceeding that evening. But how can the date of the 18th, given to the note which had been sent me, be pleasantly accounted for?

The enclosed note mentions no additional information to be presented to Her Majesty's Government, and gives no reason for referring the question to London. I have regarded the note as a mere trick to gain time, and stave off a difficulty, and I determined at once not to admit this answer.

I therefore sought the Marquis of Abrantes, and took Mr. Brodie with me. I stated to the Marquis that I had come to make an important communication, and, as conversations were sometimes misunderstood and unremembered, I thought he might agree with me in wishing that each should be attended by a witness. He therefore called in his Private Secretary, and the following conversation took place, in the presence of Mr. Brodie and that gentleman.

I told the Marquis that I had received his reply with great regret. I pointed out to him that there was no mention of any additional information to be presented to Her Majesty's Government, on either question. He said that there was something new to be presented on the "Prince of Wales" question, and that the Government intended to make a new explanation of the facts. I replied that a new explanation did not necessarily imply new matter, and that they might communicate to me their new information, and let me judge whether it would justify me in departing from my instructions. I asked him what he meant by the verbal explanations which he and the Minister of Justice had given me, and to which he said that I had paid no attention, adding that I was not aware of any verbal explanations at all. He said that he referred to my conversation with him and Senhor Sinimbú, when I saw one and the other, in order to press an inquiry by the police, and he enumerated the occasions. I told him that all these occasions were before the facts had been elicited, and become subjects of discussion; I repeated that



neither he nor Senhor Sinimbú had given me a single verbal explanation since the communication of the report of the Chief of Police, and of the depositions ; and I reminded him that, when I called on him by appointment to discuss the question, after examining all the documents, he declared himself unprepared to discuss it, and did not propose another conference. All this the Marquis was obliged to admit, and your Lordship will see that the reference in the note to verbal explanations is a disingenuous artifice. I further informed the Marquis that I could not admit that the depositions had been communicated to me privately (*particularmente*), as he said in his note ; that I had a right to them, and considered that they had been communicated to me officially, as they ought to have been. I also objected to his stating that I had given him a "peremptory" term for answering ; I had suggested that he should endeavour to give me answers by the 20th, and in fact, his note dated the 18th was not sent to me till the 22nd.

Having thus criticised the note, I told the Marquis that my instructions were, if satisfaction was not given in these two cases, to address myself to the English Admiral. I said I regarded his note as quite unsatisfactory. I begged him to believe that I now came on my own responsibility to tell him of the consequences of a persistence in refusal of satisfaction, and hoped that he and his colleagues would take the communication in the same spirit in which I made it. My desire was not to menace them (I had purposely abstained from coming near him until I got his answer), but impress them with the gravity of the occasion, which they probably had not figured to themselves, and to do what I could to prevent disagreeable events and preserve friendly relations between the two Governments. I mentioned that the Admiral, who was waiting here with his squadron beyond the usual period, was beginning to be uneasy about the heat and the health of the crews, and I gave this as a reason for my not being able to give them any long time for further deliberation. Having asked the Marquis whether he could let me have an answer by the next evening (23rd) as to whether the Brazilian Government would continue to treat with me as to the satisfaction demanded, and finding that he was disposed to make difficulties about the shortness of time, I told him that I would wait till after the departure of the



French steamer, and give him till the morning of Saturday, the 27th, hoping that the Brazilian Government would regard this as an additional proof of moderation and deference. The Marquis promised me an answer by noon of the 27th. I took occasion then to point out to him strongly that the Brazilian Government were greatly mistaken if they supposed that, in referring the matter to London, they would be appealing from me to Her Majesty's Government. The appeal would be to Her Majesty's Government from themselves. Her Majesty's Government had before them all the information communicated to me; had judged the question for themselves, and framed the demands.

In leaving the Marquis, I expressed my hope that the step which I had taken would lead to a more agreeable settlement of these questions than I thought likely when I first read his note, and he replied, in taking my hand, that he did not doubt it ("je ne m'en doute pas").

I saw him again the next morning, when I added that I hoped he and his colleagues would make the best use of the interval for deliberating on the demands made by Her Majesty's Government, and that, having already assigned Saturday for an answer as to whether they would continue to treat with me, I should be unable to wait longer than the evening of the following Monday, the 29th, for satisfaction on the two questions, and if by that time, unfortunately, I should not have satisfactory answers on the main questions, I should be obliged, in accordance with my instructions, to address myself to the Admiral. The Marquis replied that on the evening of Saturday the whole question would be discussed by the Cabinet, and that he intended to ask me to have a conference with him on the Sunday. I hope, therefore, I am right in concluding that the intention of referring the questions to London was immediately abandoned.

I took care not to give the Marquis any idea of the nature of the measures which the Admiral would take if he were obliged to act.

I have, &c.,

(Signed)

W. D. CHRISTIE.\*

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\* The note of the Marquis of Abrantes, enclosed in this despatch, is resumed in his note of December 29, Enclosure 1 in No. 72, p. 239.



## No. 72.

*Mr. Christie to Earl Russell.—(Received February 4.)*

Rio de Janeiro, January 8, 1863.

(Extract.)

I reported to your Lordship in my despatch of December 24 that I had given the Brazilian Government till the 29th of last month to come to a satisfactory arrangement on the questions of the "Prince of Wales" and the officers of the "Forte," before calling on Admiral Warren to act. On the 29th I received a reply which, in my judgment, rendered it incumbent on me to call on Admiral Warren to make reprisals according to his instructions. Reprisals have been made. His mode of proceeding, deliberately adopted in concert with me for reasons which I will explain later, has caused a virtual blockade of the port of Rio for Brazilian vessels going out, from the 31st ultimo to the 6th of this month. From the morning of the 31st, the Brazilian Government have known that I was ready to entertain for the consideration of Her Majesty's Government a proposal for referring both questions to arbitration, and ready, in fact, to agree to such terms for cessation of the reprisals and release of the prizes as they at last enabled me to agree to on the night of the 5th. There has been no collision with the navy or forts of Brazil. The reprisals were made without employing force. There has been no disturbance of the public peace, though on the 5th there was imminent danger of riots on the following day, the 6th, which was a holiday; and it is fortunate that the Brazilian Government came to terms on the 5th. The Brazilian Government have agreed to pay whatever sum Her Majesty's Government may demand as just compensation in the case of the "Prince of Wales," preferring this to a proposal of arbitration, which I recommended to them; and in the case of the officers of the "Forte," they make a proposal of arbitration which Her Majesty's Government are free to accept or decline.

I will now relate in detail the course of my proceedings.

I called on the Marquis of Abrantes, by previous arrangement, on the morning of the 27th, and had a conference of several hours. He had caused to be prepared two long memoranda, which were read by his Secretary; and we discussed them as he read. These memoranda, as your Lordship will see, contain little that is new, and nothing new of



importance; and have for their end to justify entirely the proceedings of the Brazilian Government and authorities in the two questions. The Marquis conceded nothing, and made no proposal. I took the memoranda away with me, and promised to tell the Marquis in the evening, when it was agreed that he should call on me, whether I could withdraw any part of the demands. When he came to me in the evening, I told him that I could see nothing in the memoranda to justify me in making any material change in the demands; but that I was ready to take on myself to accept, instead of a public censure on the Chief of Police, an explanation which could not hurt his feelings.

I have been satisfied that the remark of the Chief of Police, whom I know, imputing intoxication to the officers, was not intended offensively; and that all that he meant was that he concluded from the nature of the charge, that the officers had acted foolishly, as young officers may sometimes do, under the influence of wine; and I hope your Lordship will approve of the modification of the demand as regards the Chief of Police, for I am convinced that it is just.

Again, the Marquis of Abrantes made no admission, or concession, or proposal; and this led me to think that the Brazilian Government intended to accord our demands.

The next morning, the Private Secretary of the Marquis of Abrantes came to me at an early hour before I was out of bed, and waited to see me. He came, he told me, from the Marquis, to ascertain whether he had correctly understood what I had said the evening before about the Chief of Police, and about making no further modification of the demands. I repeated what I had said to the Marquis.

The next evening (the 29th), I received the reply of the Brazilian Government, which ended as follows:—

“In the name, then, of the Government of His Majesty the Emperor, as regards the claim relative to the wreck of the “Prince of Wales,” as soon as Mr. Christie, disregarding and despising all the considerations and proofs alleged by the Imperial Government to justify their conduct and that of the Brazilian authorities, demands a pecuniary indemnity for the losses and injuries of that shipwreck, I have to state to him—

“1st. That the Government of His Majesty the Emperor cannot and should not accede to the principle of responsi-



bility which is applied, and against which it protests aloud and positively ;

"2nd. That it refuses peremptorily to consent to take part in the proposed adjustment of losses suffered by the owners of the wrecked vessel, and the indemnification demanded for the supposed assassinations ;

"3rd. Finally, that, if it should be obliged to yield to force in this pecuniary question, it will pay, protesting, however, against the violence which is done, the sum which Mr. Christie or the Government of Her Britannic Majesty may wish.

"And as regards the question relative to the officers of the frigate 'Forte,' I have to declare to Mr. Christie that the Imperial Government, conscious that the police authorities, as has been proved, did not fail in the attentions due to the British navy in their proceedings towards three individuals dressed in plain clothes, who refused to give their names and ranks, it equally cannot and should not satisfy the demands of the ultimatum ; and however much it may deplore the calamities which may result from this determination, it judges better and more honourable to endure them than to sacrifice the honour and dignity of the nation."

After some deliberation I felt that I had no alternative but to call on the Admiral to proceed to execute his instructions as to reprisals.

The mode of making reprisals had been the subject of much consultation between myself and Admiral Warren, principally with a view of doing everything possible to avoid a collision between the two governments. With this view Admiral Warren had resolved to take no ships, public or private, in the port of Rio, where he might have been fired upon in the first moment of anger by the Brazilian men-of-war, or from the forts, but to send out two steamers to intercept Brazilian vessels out of sight of land. As, if it had been known beforehand what these steamers went out for, they might have received some obstruction from the forts in going out, it was judged best to send them out the evening before my announcement of reprisals was made to the Brazilian Government. The "Stromboli" went out in the evening of the 30th, the "Curlew" followed her at daylight next morning, and by 9 o'clock that morning my note announcing the Admiral's intentions was in the hands of the Marquis of



Abrantes. The Admiral remained in harbour with his flagship the "Forte," and kept with him the "Satellite," and the "Dotterel," a despatch boat.

The news of the intended reprisals, as may be supposed, caused immediately great excitement in Rio, and especially in the mercantile community. I proceeded at an early hour to the British Consulate, and remained there all day, to be in readiness to receive British merchants and others, and give every information in my power. I am glad to be able to say that the British community, though taken quite by surprise, and, besides sharing in the general uneasiness, having special cause of alarm for themselves, have generally shown a most praiseworthy spirit, and abstained from every word or deed which might in any way thwart my proceedings under your Lordship's instructions. The Brazilians naturally made efforts to induce British merchants to remonstrate against measures from which they might probably for a time suffer. Some few who at first thought of taking some such step quickly yielded to good advice.

Senhor Sinimbu, the Minister of Commerce, proceeded in the course of the day to the Exchange, and there addressed a crowded and excited audience of merchants. He told the Brazilians that, before and above all, the Government would guard the honour of the nation. He said that the Government would take on itself the indemnification of all losses which "the Brazilian commerce" might suffer from the threatened reprisals. Addressing the English, he begged them to believe that they were regarded as friends, pursuing a calling beneficial to Brazil, and that the Government would see to their safety. He then proceeded to say that the Government had received what he chose to call my ultimatum only that morning, and that it had been known the day before in the commercial community. This certainly was most untrue, and I have given him the opportunity, which he has not used, of mentioning any one who knew it. In the enclosures your Lordship will see a note which I addressed to the Marquis of Abrantes, denying Senhor Sinimbu's statement. It was of the utmost importance to keep the plan of reprisals a secret, and no one knew of them till that day, except myself and Mr. Brodie, Admiral Warren and his Secretary, and the two Commanders who had gone out with their orders.

At an early hour in the forenoon of that day, December 31st, a suggestion was made to the Marquis of Abrantes



and to the Marquis of Olinda, the President of the Council, by the Baron de Mauá, one of the greatest capitalists and most spirited and patriotic citizens of Brazil, who is at the same time largely connected with British commerce and a friend to Great Britain, to propose to me to refer the questions in dispute to arbitration. I had every reason to believe that this suggestion was well received, and that the result of a Cabinet Council to be held that evening presided over by His Majesty the Emperor would be a note to me making such a proposal, and at the same time offering to pay at once under protest whatever sum might be demanded in the case of the "Prince of Wales." At 11 o'clock that night I received a note quite different from what I had been led to expect, and from what I have good reason to know was proposed by the Marquis of Abrantes, a note informing me that the Government of the Emperor would appeal to the British Government.

In my reply to this note, dated the 1st January, I expressed my grief at this resolution, as it would necessarily prevent a release of the prizes till I could receive instructions from your Lordship, and declared my readiness to entertain for the consideration of Her Majesty's Government any reasonable proposal, such as one of arbitration.

This note succeeded in recalling for the second time the Brazilian Government from their resolution of appealing direct to Her Majesty's Government.

In the meantime the newspapers had been generally busy in trying to fix the odium of our proceedings on me personally, and in representing that Her Majesty's Government would disavow them; and the official journal had also held this language. There was a general excitement against me. I was threatened with assassination. The Brazilian Government, without any application direct or indirect from me, and without any communication with me, had placed a strong guard near my residence to protect me. I wrote a note on the morning of the 3rd to the Marquis of Abrantes protesting against the language of the official journal, to which I received no answer till yesterday the 7th. Under these circumstances I thought it right to decline to go to the house of the Marquis of Abrantes for a proposed conference, and to ask him either to come or to send his Secretary to me; and I did not hesitate to let him and others know, that as long as the official newspaper was permitted without reproof or contradiction to



fix these proceedings personally on me, I would not, unless absolutely compelled by a refusal of the Marquis to come himself or send his Secretary to me, expose myself to insult or injury by going out to the house of a Minister who, under the circumstances, would be in a great measure responsible for any such disagreeable incident.

The Marquis, pleading illness and fatigue, sent his Secretary to me on the evening of the 3rd, and after a long conference I drew up the enclosed memorandum as a basis of arrangement:—

1. The Brazilian Government had declared their readiness to pay immediately under protest whatever sum I or Her Majesty's Government might demand in the affair of the "Prince of Wales." I voluntarily proposed that they should oblige themselves to pay whatever Her Majesty's Government might demand. I was not able myself to fix the sum, and could only have named a sum large enough to cover all contingencies, which would have been invidious; and I wished to show perfect confidence in the honour of the Brazilian Government on this point. I also urged their proposing to refer this question; as well as that of the officers of the "Forte," to arbitration; and their refusal of arbitration naturally deprives their protest of force, and precludes any reproach against Her Majesty's Government for fixing, as they are asked to do, the amount of compensation.

2. The question of the officers of the "Forte" to be referred to arbitration; and I advised the Brazilian Government to enable me confidentially to inform your Lordship of some arbiters who would satisfy them; that Her Majesty's Government might at once have some choice, and also with a view to the possibility of refusal of any one proposed arbiter.

3. I asked for an explicit declaration as to the readiness of the Brazilian Government to indemnify any subjects of third Governments who, as owners of cargo, might suffer from our seizures of Brazilian vessels. The Brazilian Minister of Commerce had declared in his speech at the Exchange, as reported in the official journal, that the Government would take on themselves to indemnify all losses sustained by the Brazilian commerce, and, as this phrase certainly did not include English merchants, it would probably not be understood as including more than Brazilians.

4. I insisted on a publication, without delay, of all the correspondence on both questions prior to the 5th December,



the Brazilian Government having already, since the reprisals began, published the correspondence from that day. Without the anterior correspondence, in which the two Brazilian memoranda are answered by anticipation, it is impossible for any one to understand fully or judge fairly the questions.

5. I undertook on such conditions to stop reprisals and restore prizes.

The Brazilian Cabinet determined to call together the Council of State to consider these terms of arrangement. The Council of State deliberated two days, the 4th and the 5th, His Majesty the Emperor presiding on the second day.

Meanwhile, in the afternoon of the 4th, Her Majesty's ship "Stromboli" re-entered the harbour, to report to the Admiral the prizes which had been taken, and which had been left in charge of the "Curlew." I much lamented that the slowness of the Brazilian Government had prevented an arrangement before the arrival of the news of the captures. The details of the captures appeared next morning in the papers, and, as was to be expected, caused great excitement. The excitement in Rio that day was such as has never been seen since the execution of the provisions of the "Aberdeen Act" in Brazilian ports, when Sir James Hudson was Minister. There was serious fear of riots in the centre of the city, and the British Consulate was surrounded for some time by a menacing mob.

Senhor Sinimbu, the Minister of Commerce, appeared on the scene and did much to calm and restrain the populace, excited by demagogues. His Majesty the Emperor traversed the city, and addressed crowds in different parts. The speeches of His Majesty and of Senhor Sinimbu were principally directed to assuring the populace that the honour of Brazil was safe. This was the tone best suited to please and quiet the Brazilian mind. It was generally reported and believed that the Council of State, which concluded its deliberations that forenoon, had resolved to reject all terms of arrangement, and that I was to receive my passports.

The Council of State, however, had decided quite the other way; and at 3 o'clock that afternoon the Secretary of the Marquis of Abrantes came to me with a draft of a note to be addressed to me. This proposed note began with offering me a personal satisfaction by declaring that the Imperial Government, in proposing to appeal from me to the British Cabinet, had not intended to impugn my justice or honour, and pro-



ceeded in very satisfactory terms to do what had been proposed in the memorandum drawn up in my conference with the Secretary on the 3rd, viz., pay under protest what might be demanded in the case of the "Prince of Wales," and propose to Her Majesty's Government to refer the question of the officers of the "Forte" to arbitration. I made some suggestions on points of language and form, and the Secretary carried away with him the draft, telling me that it would be submitted by the Marquis to his colleagues, but that no essential change would be made in it, and that I might expect to receive the note at 10 o'clock that evening. At the appointed time I received a note which, though it may be said that nothing essential in the terms of arrangement was changed, was entirely different in form and tone from the draft which I had seen, and contained many changes of expression and additions which required careful consideration. After reading the note, I told M. Calogeras, the Private Secretary, that this note would be accepted by me as it stood if necessary, and that I should not let the proposed arrangement go off, but that without some changes it would be impossible for me to abstain from a controversial reply. I am happy to say that all the changes which I suggested were ultimately made, but this involved a delay till the next day.

I will call your Lordship's attention to two passages which remain in the note of the 5th, which were inserted after I had seen the draft of the Marquis of Abrantes. The first is the condition attached to the arbitration in the "Forte" question. The words accurately translated are:—"It being understood that the said arbiter will have to decide, not with regard to the duty of the Imperial Government to cause the laws of its country to be executed, but only whether in the way those laws were applied in the case of the officers of the 'Forte' there was any offence offered to the British navy." I have taken special pains to ascertain the meaning of this condition; and it is nothing more than a formal reservation of the right of the Imperial Government to execute independently the laws of Brazil. The other passage inserted was the concluding paragraph, in which it is stated that, if this proposal of arbitration is rejected by Her Majesty's Government, the Government of Brazil returns to its formerly announced resolution of submitting to all calamities rather than yield.

The passage of the draft acquitting me of injustice was



omitted in the note as ultimately settled ; but a statement of the same sort has been since made, in a note dated the 6th, which your Lordship will see in the enclosed correspondence.

At last, then, after many delays and difficulties, at mid-day on the 6th the arrangement was finally made, and the two notes dated the 5th were exchanged. I was at the same time promised that I should receive a separate note, declaring the intention of the Imperial Government to indemnify owners of cargoes of third nations. I cannot say that this promise has been promptly or ingenuously fulfilled ; but the quick release of the prizes renders this point of little importance.

The Brazilian Government had already published the correspondence up to the note of the Marquis of Abrantes of the 2nd, agreeing to treat, and it was promised me that the remainder of the correspondence, including the two notes of the 5th, should be published next morning, and the arrangement which had been made thus be explained and made known to the public.

The news having been circulated on the 6th that an arrangement had been come to which would stop reprisals and cause immediate release of the prizes, allayed excitement, and prevented any disturbances such as had been expected that day, a general holiday.

The stoppage of the reprisals was necessarily a great relief to trade, for no Brazilian vessel had been able to leave the port while the reprisals were proceeding.

In the course of the afternoon the Admiral despatched Her Majesty's ship "Stromboli," with orders to release the prizes, and then proceed at full speed to Pernambuco, in order to be there if possible on the first arrival of the news of recent events, which might cause excitement and render British residents uneasy ; and with the same view he despatched at the same time Her Majesty's ship "Satellite" to Bahia, and Her Majesty's gun-boat "Dotterel," to Rio Grande do Sul.

On the morning of the 7th the correspondence was not published, as had been promised. Instead of the promised publication there appeared in the official journal and another newspaper a false explanation, bearing an official appearance, of the non-publication ; it being stated that the publication was delayed until the condition of the actual release of the prizes was fulfilled. This had not been a condition for publication ; it was a condition precedent for sending orders to London to pay the money in the case of the "Prince of



Wales," and for taking any necessary steps with a view to the proposed arbitration. In other journals articles appeared distorting and misrepresenting the arrangement made, and describing it as a great triumph of the Brazilian Government, and a great humiliation of the English Legation. These articles showed a knowledge of the terms of the arrangement and of incidents of the negotiation which could only have been derived from some member of the Brazilian Government.

I deeply regret to have to state to your Lordship the cause and the effect of this unworthy and mischievous proceeding.

The Secretary of the Marquis of Abrantes, whom indeed I had sent to, came to me at an early hour, to express the astonishment and indignation of the Marquis at the non-publication, and at the explanation given in the official journal, to assure me that he had given orders for the publication, and that it had been stopped without his knowledge, and to promise that the publication should be made without fail the next day, and the statement of the official journal contradicted. I have learnt, beyond a doubt, that the publication was stopped by Senhor Sinimbú, the Minister of Public Works, who held a conference that evening with the editors of the newspapers, and gave them the cue for the very objectionable articles which appeared the next morning. The object of course was to anticipate the publication of the correspondence by misstatements intended to create the impression that the Brazilian Government had gained a victory, and thus to prevent public clamour against the Ministry. It has filled me with astonishment to learn that Senhor Sinimbú should have so acted. Two of the editors with whom he conferred, and the misdirected praises of whose journals he obtained, are two demagogues, and have been most vehement opponents of the Government, Senhor Ottoni and Senhor Saldanha Marinho, and the object was to gain their support on this national question. I am quite satisfied that the Marquis of Abrantes was an entire stranger to this improper proceeding, and that his indignation was not feigned.

It is rumoured that Senhor Sinimbú has been severely called to account by his colleagues, and that he may be obliged to retire from the Government. It is, indeed, difficult to understand how a member of the Cabinet, who has thus conducted himself, can be permitted or wish to remain.

The effect of Senhor Sinimbú's proceeding was a revival in



the course of the day (the 7th) of the excitement, specially directed against the English. In the course of the afternoon, Mr. Hollocombe, the Acting Consul, came to me attended by two English gentlemen, to represent to me the renewal of fears of disturbances in the city. Similar intelligence had already reached me through others. The Brazilians were going about noisily representing the English as humbled, and taunting and insulting them. I took the Consul with me immediately to the house of the Marquis of Abrantes. I told his Excellency that there was again excitement and alarm in the city, and that the English Consul was there to tell him the state of things, and the fears of the English merchants. I told him that this had come from the articles in that morning's papers, and that I knew, and that he knew, what had been Senhor Sinimbú's proceedings. I added that I declared to him officially that for any injuries that might now arise to English persons and property, I should consider Senhor Sinimbú, the Minister of Commerce, responsible, and that as he had given the tone to that morning's articles representing England as humbled, it would be in his power to influence these same journals to discontinue that strain. The Marquis of Abrantes made no reply to these remarks beyond assuring me that he would take immediate steps for the maintenance of public tranquillity and order. Such steps, I know, were immediately taken.

This morning, a part of the correspondence has been published, including the two notes of the 5th; and although I have had still to complain that some of the notes have not appeared, enough has been published to make known the truth. The city has today been perfectly tranquil.

I have received in the course of today a note, of which a translation is enclosed, informing me that the Government of the Emperor propose His Majesty the King of Belgium as arbitrator. I understand that all the documents belonging to the question are to be forwarded by this steamer to the Brazilian Minister at Brussels. The Imperial Government seem to take for granted that His Majesty will agree to act as arbiter, and have not followed my advice to submit several names to Her Majesty's Government.

I will not conclude this report without saying that I have had most effective assistance from Admiral Warren in these proceedings. I trust that our conduct will obtain the approval of Her Majesty's Government.



## Enclosure 1 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
December 29, 1862.

(Translation.)

I have before me the three notes which, under the date of the 5th instant, Mr. William Dougal Christie, &c., addressed to me.

In two of these notes Mr. Christie, persisting in the claims which he had brought forward on account of the wreck of the barque "Prince of Wales," and of the disagreeable occurrence which took place at Tijuca between police authorities and some officers of the "Forte" frigate, called in the name of the Government of Her Britannic Majesty upon that of His Majesty the Emperor for a pecuniary indemnity for the losses and damages arising from that shipwreck, and satisfaction for the disrespectful manner in which the said officers were treated.

In the third note, Mr. Christie confined himself to the fixing of a peremptory term, within which the Imperial Government was to answer the demands contained in the other two.

The Imperial Government having duly taken into consideration Mr. Christie's three notes, and appreciating the terms in which they are expressed, on the one hand concluded that, after the discussion which has taken place between this Ministry and Her Britannic Majesty's Legation respecting the claim for the shipwreck of the barque "Prince of Wales," further efforts to convince Mr. Christie of the justice with which the said Government contested that claim, or to arrive in this capital at a satisfactory result, so desirable for the maintenance of the good relations existing between the two countries, and for the dignity of the respective Governments, would be useless; and it had observed, on the other hand, that Mr. Christie solely on the basis of the answer which, in his note of the 19th of August last, he presented against the report made by the police of the city, which was privately confided to him frankly, and disregarding the verbal explanations given to him not only by myself, but principally by the Minister of Justice, considered the question as concluded,



and communicated the resolution taken by his Government in this respect.

Under such circumstances it appeared to the Government of His Majesty the Emperor, that the only alternative which remained for its adoption, in consonance with the sentiments of moderation and benevolence which it entertains towards the Government of Her Britannic Majesty, and the confidence with which it is inspired in the principles of justice and rectitude of that Government, was that of instructing the Brazilian Minister in London to come to an express understanding with the British Cabinet on the subject of the two claims to which I have referred.

The Imperial Government having taken that resolution, I hastened to communicate the same to Mr. Christie in the note which I had the honour to address to him under the date of the 18th instant.

Mr. Christie did not think it convenient to reply in writing to this note of mine. On the 22nd, at about half-past three o'clock in the afternoon, he had the goodness to call at the house in which I reside, in order to confer verbally with me.

After exchanging some words about the claims in question, Mr. Christie informed me that he had just received from his Government the most peremptory instructions respecting these claims.

That not only they imposed on him the duty of making the demands contained in his three notes of the 5th instant, but also of giving the necessary instructions to the Admiral commanding in chief the English squadron in this port, if the said demands were not promptly complied with.

That what he said did not signify a menace, but the communication of instructions received.

That his Government having ordered him to carry immediately into execution the demands contained in his three notes of the 5th instant, or to have recourse to the Admiral, no more time was left for instructing the Brazilian Minister in London to treat of the subjects in question; the only means for examining the prosecution of the said demands being that of resuming the respective discussions with Mr. Christie himself.

Mr. Christie will doubtless remember that I asked him to address to me a note in the sense of the verbal communication which he had just made to me; he will likewise remember his answering me that he did not consider convenient the



discussion of the said communication in a note, for which reason he resolved to make it verbally; and then insisted on a day and hour being fixed for an answer.

On the morning of the 23rd Mr. Christie again called upon me, for the purpose of telling me that he was going that day to Petropolis, whence he would return on Saturday the 27th, to receive my answer.

I told him that I would be ready to give him one, and that I hoped to offer him on that occasion a verbal conference and fresh explanations and elucidations, which might perhaps induce him to reconsider the questions.

To this Mr. Christie agreed, observing to me, however, at once, that he would receive my definitive answer on Monday, the 29th, because, in conformity with his instructions, he was not permitted to wait any longer.

In fact, the conference agreed to took place on Saturday, the 27th.

According to promise, I tendered to Mr. Christie fresh explanations and more developed elucidations about both the pending questions, and presented him with a memorandum relative to each of these questions, accompanied by documents in confirmation of the allegations and arguments with which Mr. Christie's propositions were contested, as regards both claims.

Unhappily, this effort was unfruitful, and Mr. Christie finally declared that he persisted in his demands, as primitively made.

It therefore becomes my duty to give Mr. Christie this day the answer of the Imperial Government relative to the claims in question.

With a view, however, to exhaust all conciliatory means, and to render evident not only the purity of the intentions of the Imperial Government, but also the perfect consciousness which it has of the rectitude and regularity of its proceedings, I will make one more appeal to the circumspection and discernment of Mr. Christie in sending him copies of the memoranda which I produced to him in the conference of Saturday, and to which I now again pressingly claim his matured attention.

In those papers facts are explained in the clearest manner, and each of the observations which they suggested to Mr. Christie is appreciated, which is as much as to say that the Imperial Government has frankly and loyally employed all



possible efforts towards showing the causelessness of these claims, and consequently the necessary propriety, for the existing good understanding between the two countries, and the most important relations which bind Great Britain to Brazil, that the demands of Mr. Christie in his notes be reconsidered.

And the Imperial Government makes this last appeal not only in the interest, which it considers most important, of avoiding the incalculable evils which perchance might result from a disturbance of the friendly relations existing between the two countries, but also from the conviction that the claims in question, even admitting to a certain degree the apprehensions and appreciations relative thereto, which have been manifested by the Legation of Her Britannic Majesty, do not call for the solution insisted upon by Mr. Christie.

As Mr. Christie perfectly knows, such measures are only taken in extreme cases, when no honorable means remain for the attainment of a pacific solution.

That hypothesis certainly does not exist in regard to either of the pending questions ; it is difficult, if not impossible, to demonstrate that the Imperial Government throughout the whole of its proceedings has, in any way, showed repugnance or opposition to the amicable conclusion of both claims.

If from special circumstances which it would be useless to enumerate, and which are inseparable from a new country, which occupies a vast extent of territory, a great part of which has still to be populated, in which communications are difficult, and consequently the action of the Government is tardy, some delay at times occur in the solution of claims and questions which arise, and the examination of them does not always produce so complete and satisfactory a result as were to be wished, that certainly ought not to create ill will, and still less a disrespect or offence, particularly when no interest, nor basis exists to justify or authorise such a supposition.

If this be the case, it is not less true that a nation, although comparatively weak in relation to the other, cannot be indifferent to acts which lead to the humiliation of its sovereignty and of its dignity, and which do not meet with any explanation or countenance in reason and in universal justice.

In order to guard against such a position, to prevent the immense evils which must necessarily be expected from it,



and finally in order to refuse on its part all responsibility, the Government of His Majesty the Emperor addresses these considerations to Mr. Christie.

In the meanwhile, if, contrary to what the Imperial Government has a right to expect from so powerful and enlightened a nation as the British, Mr. Christie should persist in his demands, if in spite of all that is brought forward and all the irrefragable proofs which have been tendered, he should think that he ought to carry into effect the announced ultimatum of his Government, in having recourse for that purpose to the Admiral commanding Her Britannic Majesty's naval forces assembled in this port, it will only remain, in such a conjuncture, to the Government of His Majesty the Emperor, saving above all the national dignity, to protest most solemnly against the unusual principles which it is pretended to establish, and being intimately convinced of the perfect justice of its cause, but which it cannot make valid, to submit to the conditions which may be imposed upon it by main force, and to appeal to the enlightened and impartial judgment of the civilised nations.

In the name, therefore, of the Government of His Majesty the Emperor, as regards the claim concerning the shipwreck of the barque "Prince of Wales," if Mr. Christie, disallowing and disregarding all the considerations and proofs alleged on the part of the Imperial Government in justification of its proceedings, and those of the subaltern authorities, insists upon a pecuniary indemnification for the losses and damages of that shipwreck, I have the honour to declare to him :—

1. That the Government of His Majesty the Emperor neither can nor ought to accede to the principle of responsibility attributed to it, and against which it loudly and categorically protests.

2. That it peremptorily refuses to consent or intervene in the proposed liquidation of the losses suffered by the owners of the shipwrecked barque, and in the indemnification demanded for the supposed assassinations.

3. Finally that, if obliged to yield to force in this pecuniary question, it will pay, under protest also against the violence that may be offered to it, any sum that Mr. Christie or the Government of Her Britannic Majesty may choose to demand.

As to the question concerning the officers of the "Forte" frigate, I have to declare to Mr. Christie that the Imperial



Government, being convinced that the authorities of police, as has been shown, were not wanting in the regard due to the British navy in their proceedings towards three individuals dressed in plain clothes, who refused to give their names and calling, equally cannot, and should not satisfy the demands of the ultimatum; and however much it deplores the evils which may result from this determination, it considers that it is more honourable to suffer them than to sacrifice the national decorum and dignity.

I renew, &c.,

(Signed) THE MARQUIS OF ABRANTES.

Enclosure 2 in No. 72.

*Memorandum on the Question of the "Prince of Wales."*

(Translation.)

The shipwreck of this vessel took place on the coast of Albardao, which comprises more than forty leagues, frequented by ill-disposed men, for the greatest part wanderers, and intimately connected with the natives of the Oriental State who inhabit the neighbourhood of the Chuy as far as Castillos, and are known by the name of "Montoneros." These men commonly flock to the shores of the sea whenever they nourish hopes of plunder, and thus is explained the general cognizance of the fact, without the possibility of coming to the knowledge of who are its authors. (Report of the 10th May, 1862, of the Chief of Police to the President of the province of Rio Grande do Sul.)

This simple description of the place is sufficient to show the great difficulties attending the discovery of the depredators of goods saved.

Nobody can be accused without proofs, or at least indications.

But the few inhabitants strewed over this vast desert, in order not to be discovered and punished, always convey into the interior everything which they can pilfer; this is what, with reason, the President of the Province supposed. (Official Report of the 3rd of July, 1861.)

The Delegate of Police of Rio Grande declares that, having sent three times to command the attendance of divers persons of Albardao in neighbouring places at Rio Grande, all of



them deny themselves, do not appear to the Officer of Justice, feign illness ; some who may have a knowledge of something have gone away to the Oriental State, others, who are conscious of their criminality have definitively fled to that State. (The Delegates Official Report to the President of the 18th of September, 1861.)

It became necessary to order the appearance, under subpoena, of those persons who were supposed to be informed of the facts. (Order of the Chief of Police to the Delegate, annexed to the despatch of the President of the 10th of December, 1861.) It was necessary to order the examination of witnesses at a distance of fifty leagues in the district of Victoria. (The President's despatch of the 30th of May, 1862.)

Being informed of these and other difficulties of the same nature, which are gathered from the voluminous documents of this process, the Imperial Government instructed the President to employ all possible means and assiduity ; authorized extraordinary expenses ; counselled that if the action of the officers of justice should not be sufficient, endeavours should be made for arriving at the knowledge of facts through confidential information. (Despatch of the 26th December, 1861.) These orders were many times repeated.

Evidently, however great might have been the efforts of the Imperial Government and of the local authorities, it was an affair of time and perseverance.

The Inspector of the quarter, when he learnt on the 10th of June, 1861, of the shipwreck, as will further on be shown, went on the 11th, with five National Guards, to do police duty on the beach.

An inevitable delay was occasioned on account of the distances.

On the 14th the Municipal Judge, accompanied by the English Consul, the assistant of the Chief Guard of the Custom-house, two guards and four soldiers, searched the houses of the nearest neighbours of the place, and discovered nothing. (The President's despatch of the 3rd of July, 1861.)

The Consul himself acknowledged the zeal of the Magistrate in his proceedings, (Official letter of the 20th of June, 1861.)

Besides this first inquiry others were instituted by the Sub-Delegate of Tahim twice ; another time by the Muni-



cial Judge; and, finally, by the Chief of Police. (His report of the 10th of May, 1862.)

A process had been instituted relative to the plundering of the goods saved, but from the difficulties pointed out, and others which may be easily comprehended, the process could not be prosecuted with the desirable speed. (Letter of the Delegate to the President of the 18th September, 1861.)

It became necessary to institute a new process for the crime of robbery, in consequence of the Municipal Judge having ranked the crime committed as a robbery from which there is no appeal *ex officio*, and, even if there were, no appeal could be had from the qualification of the crime. (The President's letter to the Delegate of Police of the 14th of April, and of the President to the Government of the 14th of May, 1862, No. 6.)

The President finally made a communication that a fresh process had been instituted against eleven individuals, and that endeavours were being made to send descriptions of those supposed to have taken refuge in the Oriental State. At the commencement there were only three, but by means of the continued efforts of the authority eight more had been discovered. (Despatch of the 31st of July, 1862.)

Since then inquiries have been continued, and the result of the documents is that neither the Imperial Government nor the local authorities have neglected to promote, by all kinds of means, the most complete solution of this painful and difficult question.

Such are, briefly, the motives of the delay of which the British Minister complained.

From the tenour of the despatches and reports on this subject, not the least doubt remains that not only the Imperial Government, but also the local authorities, have acted most zealously, and that they cannot either be responsible for the delay or for the want of a better result, because such difficulties were, and still are, in the nature of things.

By order of the Imperial Government the local authorities employed force, money, persuasive and confidential means, and that which is of more value in the case in question, they had the necessary prudence and perseverance in order to, as it were, glean the truth where, when, and how it might present itself.

By the demand of the intervention of an officer of the



British navy the success of the inquiries would have been rather obstructed than facilitated, from the obvious reason that dependent as they were for obtaining a knowledge of facts from confidential information and on the good-will of those who might guide the authority in his inquiries, all of them would have kept silence, without committing themselves in the presence of an officer of English ships. (Despatch of the President of the 10th of April, 1862, and the papers annexed thereto.)

The Inspector of the quarter and the Sub-Delegate of Tahim were dismissed. To the former the Chief of Police attributed the delay of the communication of the fact from the day of the shipwreck (7th to 8th of June) until the 11th (letter of the 10th of May, 1862) ; but, as we shall further on see, he was only informed of it on the 10th, and therefore, if he was dismissed, it was for having thought that he might set free one of the indicated persons, who afterwards escaped to the Oriental State. The said Delegate was dismissed in consequence of some censures addressed to him on the occasion of his being interrogated ; censures which do not prove his guilt or remissness, but which might blemish the prestige which an authority ought to enjoy. (Report of the Chief of Police of the 10th of May, 1862, and its annexes.)

These dismissals prove the delicacy of the conduct of the Imperial Government in this question, but by no means can they be considered as proofs of the culpability of the local authorities as facilitating crime or interrupting the action of justice. The release of the runaway will only retard the execution of the sentence which will condemn him, because his extradition is about to be demanded from the neighbouring State.

Consul Vereker alleged suspicions of robbery by the Judge of the Peace of Albardao, Bento Venancio Soares ; he said that on the occasion of the inquiry he saw in that person's house, on the 14th of June, 1861, two Bibles and two empty cases belonging to the shipwrecked. (Mr. Christie's note of the 18th of September, 1862.) Neither the Consul nor the Municipal Judge made any mention of the circumstances alluded to in their official reports of the quoted inquiry. (Official Letters of the 20th and 23rd June, 1861.) And divers inquiries having been set on foot for the discovery of the depredators, without any result of proof against Soares, upon what grounds could the authority put him on his trial ?



It is true that a certain carpenter, Joaquim, was indicated, who resided in the house of the said Soares, and he was absent. (Interrogatory by the Sub-Delegate of Tahim, annexed to the President's despatch of the 14th of May, 1862.) Perhaps in this manner the existence of some of the articles saved in the house of Soares may be explained.

As to Soares not having communicated the shipwreck, and having only mentioned it on the 12th in the city of Rio Grande, and the appearance of some corpses in the vicinity of his house (letter of the Consul of the 20th of June, 1861), even supposing that the said Soares had knowledge of this and other facts connected with the shipwreck previously to that day, it was not his duty to communicate the same, because the cognizance of this affair was the competency of the Inspector of the quarter and of the respective Sub-Delegate.

It therefore appears that no responsibility whatever is attached to the Imperial Government, either for its own acts or those of the local authorities, from the period in which they were informed of the shipwreck.

Can the same Government, peradventure, be made responsible for what has happened before it received information of the occurrence ; and can the perpetration of the crime be attributed to the negligence of the Government, or the carelessness or connivance of the authorities ?

Assuredly it cannot be pretended that such crimes can be prohibited on the immense and desert shores of Brazil, when even now-a-days they are committed in the most civilized countries of Europe ; with this difference, that in these the territory is much less extensive and the population much more dense, so that it is much easier to prevent crime and to discover the footsteps of the criminals.

Mr. Vereker says (his despatch of the 20th of June, 1861), that the shipwreck is supposed to have taken place on the 7th or 8th of June ; that on the 9th the news was spread over the district ; that only on the 12th the Judge of the Peace mentioned in Rio Grande that corpses had been found on the sea beach ; and that only on the 14th official information reached Rio Grande from the Sub-Delegate of Tahim, who resides at a distance from that city.

Hence, the British Consul observes that the Judge of the Peace ought to have communicated the fact on the 9th ; that the Inspector of the quarter, who declared that he went on



the 11th to the place of the shipwreck, ought to have immediately made an official report to the Sub-Delegate of Tahim; that the latter, finally, ought to have directly ordered an inquest on the bodies, and have gone to the spot, in order to protect the property.

In the first place, it is to be kept in mind that, the Judge of the Peace not being a competent authority, it was not his business to make this communication.

As to the Inspector and Sub-Delegate, it appears that from the distances in which they were from the place of the shipwreck, as well as from the city of Rio Grande, they could not sooner make this communication.

In fact, the Inspector resides above six leagues from the place of the disaster, and the Sub-Delegate as far off, or further. These authorities only became aware of the shipwreck after they had been informed of it by the inhabitants of the spot. It was only on the 11th that the Inspector, from information received on the eve, went to the beach, and on that day sent word to the Sub-Delegate, who communicated this occurrence to the Delegate of Rio Grande. (Report of the Delegate of the 18th September, 1861.) The Chief of Police says, that the Sub-Delegate being sick he sent for the Inspector, who reported to him the shipwreck; and that the Inspector remained keeping guard over the goods saved, according to the order he received from the Sub-Delegate. (Official letter of the 10th of May, 1862.)

Thus, therefore, from the 7th or the 8th, on which it is supposed, as Mr. Vereker says, that the shipwreck took place until the 10th, on which day the police authority for the first time was informed of it, two or three days elapsed during which the depredators had plenty of time for the perpetration of the crime.

If the news spread over the district on the 9th, it is not to be wondered at that the Inspector, who resides at a distance of six leagues, should only have arrived on the following day.

And, as the Inspector only received information on the 10th, it is evident that he is not responsible for the delay of proper measures previously to that day.

At what hour was the Inspector informed of the shipwreck on the 10th? That is not stated, but as he had to travel six leagues over a sandy ground, it is conceivable that he went on the 11th to the place of that occurrence.

He immediately sent to inform the Sub-Delegate of it—a still further journey of eight leagues.



The Sub-Delegate being sick, sent for him—eight leagues more.

The Inspector arrives at the house of the Sub-Delegate—eight leagues more.

And, finally, the Sub-Delegate reports officially to the Delegate at Rio Grande—sixteen leagues more.

In the whole, 46 leagues and 3,000 fathoms; or 6,840 metres each to be traversed in three days (the 11th, 12th, and 13th), over the worst ground, without counting the duration of the interviews, the adoption of measures, &c.; about 80 French leagues.

It appears that it cannot be said that any delay occurred, even although it should be pretended that by travelling all day and night, and by killing the animals, one day might perhaps have been gained.

The property did not remain abandoned from the time when the competent authority took cognizance of the fact, because the beach was guarded by the police from the 11th to the 14th, on which day the Commission of Inquiry arrived; and it still continued to be watched by order of the Municipal Judge, the Inspector being always accompanied by five National Guards. (Report of the Municipal Judge of the 18th of September 1861.) (The Interrogatory of Faustino José Silveira, annexed to the Report of the Chief of Police of the 10th of May, 1862.)

All censure, therefore, of the Inspector and of the Sub-Delegate, in relation to the delay of the communication and the abandonment of the property, thus vanishes. It is not to be inferred simply from the fact of the Inspector's being a relative of Bento Venancio Soares, that he connived at the crime, although Soares might have been a party to it; which, however, has not been proved.

In regard to the suspicions of murders, I have to state as follows:—

The delay which took place in the communicating the shipwreck, the aspect of the beach, the distances in which some of the bodies were found,—all this caused the Consul to suspect that part of the crew had been murdered. (Despatch of the 20th of June, 1861.)

Mr. Vereker having demanded the conveyance to Rio Grande of the corpses which had been disinterred, the Chief of Police immediately sent proper orders to the Delegate for the necessary proceedings for the discovery whether any.



murders had been effected, and who were the authors of them ; and, at the same time, the Delegate wrote officially in the same sense to the Sub-Delegate of Tahim. (Despatch of the 27th of June, 1861, of the Chief of Police to the President.)

One body having been found interred, and three unburied, they were immediately sent to the city of Rio Grande, and an inquest was held on them. The doctor, José de Pontes França, declared that the said dead bodies showed no signs of any external wounds, nor indication of violence ; and that death had been caused by asphyxia from submersion. (Report of the Chief of Police of the 1st of July, 1861.)

The President reiterated his orders that fresh researches were to be made ; but these produced no result. (Despatch of the 11th of July, 1861.)

The President still ordered the Municipal Judge to verify the censured facts. This Judge, who, at the same time as the Consul, had the opportunity of observing the appearance of the sea-shore, the distances in which the bodies were lying and other circumstances of the subject, stated that the Consul had only been led by inferences founded on the bad character of the inhabitants of the place, and not by any positive fact, and his persuasion that Mr. Vereker was unjust in his supposition. (Despatch of the Chief of Police of the 10th of May, 1862.)

Finally, a fresh inquiry was instituted by the Delegate, Dr. Camarim, and, like the preceding, it produced no greater elucidations. (Despatch of the Chief of Police of the 10th of May, 1862.)

The Consul having been invited to attend this last inquiry, he answered the Delegate that on that occasion he could not accompany him on the coast of Albardao, and if his presence were necessary he requested him to let him know ; and added, " that it was not just to attribute to him principally the suspicion of murders ; that not only he had never expressed such an opinion, but those suspicions were entertained by those persons who were acquainted with all the circumstances." (Despatch of the 22nd of April, 1862.)

The Chief of Police interrogated all the persons residing at Albardao, as well as the inhabitants of the neighbourhood of the place of the disaster, and others who flocked thither on that occasion, besides the Inspector of the Customs and the Chief Guard's assistant. Every one of them denied the



homicides. (Report of the Chief of Police of the 10th of May, 1862.)

It therefore appearing :—

That no one except the Consul had thought of murders, and that Mr. Vereker himself repudiates the paternity of that idea ;

That, of the four bodies found at Albardao and examined at Rio Grande, not one of them presented any external injury or indication of violence, and that with respect to them the cause of death had been asphyxia from submer-sion ;

That the argument deduced from the distances at which some bodies had been found, had been completely refuted by the captain of a frigate, José Pereira Pinto, who, after analysing the circumstances, declared that it was sufficient to reflect upon the force of the current and of the wind, upon the difference of weight between that of a human body, of a case of merchandize, or of a log of timber, to comprehend that it was impossible that all could have come to the same place. (Information annexed to the President's despatch of the 14th of May, 1862) ;

That, notwithstanding the five inquiries successively conducted by divers public functionaries, it has not been possible to meet with the burial-places of any of the shipwrecked persons, which is naturally explained by the peculiar circumstances of the formation of the soil and of its frequent mutability ; it being known that from the Torres to Castillos in the Oriental State the coast is composed of loose sand, which the winds daily displace, and which, in the course of an hour, raise very high ridges, and in the next remove them to other places. (Despatch of the President of the 10th of April, 1862.)

For these reasons, the Imperial Government concludes that the suspicion of some of the shipwrecked having been murdered is unfounded.

The British Minister, in his note of the 25th of October, 1861, says :—

“ When the Municipal Judge, the Consul, and others of their attendants arrived, they found the Inspector with a force superior to their own ; and, therefore, the Municipal Judge did not care to assent to the request of the Consul that the place might be shown them where the bodies of the shipwrecked were buried.”



This fact is not deduced either from the report of the Municipal Judge, in which he gave an account of the inquiry, nor from that of Mr. Vereker himself, presented on the same occasion. (Despatches of the 23rd of June, and 20th of the same month in 1861.) Whilst, from the tenor of Mr. Vereker's despatch, it appears evident that there was no reason why he should have omitted mention of the fact indicated, and in that same despatch.

It besides appears that the Inspector's disposable force for police duty on the beach was not superior to the number of persons and the force which accompanied the Municipal Judge. His party consisted in the Consul, the Chief Guard's assistant, two Guards, and four soldiers—eight persons. The Inspector had only five National Guards under his command. (Deposition of Faustino José Silveira, annexed to the President's despatch of the 14th of May, 1862.)

However great may be the confidence reposed by Mr. Christie in his Consul, it would appear that the allegations and opinions, more or less well-founded, of only one person, cannot counterbalance the complete absence of proofs, or the acts of all the authorities, and the affirmations of a great number of witnesses who have deposed in this question.

It is not unusual that generic suspicions of prepossession should arise from the instinct of self-preservation, and even from the most noble sentiment of compassion excited by the misfortunes of others, without, however, the existence of any positive fact which may justify such suspicions. And even not long since, Mr. Vereker exemplified this truth in thinking that his life was in imminent danger; a fact which it was afterwards ascertained had not the least foundation. (Notes of Mr. Christie of the 14th and 21st of August, 1862.)

In Mr. Christie's last note of the 5th instant, Mr. Christie demands, in the name of his Government, a compensation for the plunder of the goods saved, and of the bodies.

It appears that the Imperial Government, neither from its own acts, nor from the proceedings of the local authorities, ought to be answerable for the disasters occasioned by the shipwreck of the barque "Prince of Wales," and therefore the demand of the Government of Her Britannic Majesty cannot be maintained. But were it even maintainable, it appears that it could not be easily settled.

In the first place, for which bodies does his Excellency demand compensation?



It cannot certainly be for the four which were taken to the city of Rio Grande, and respecting which it was proved that the cause of their deaths had been asphyxia from submersion. Nor can it be for the six who were lost on the sand hills of Albardao, because it is not known to what souls they belonged, nor are there any means of distinguishing them from those who were swallowed by the waves.

As to the robbery of the goods saved, if the demand of the British Government were justifiable, it would appear that the Imperial Government could only be responsible for specified quantity and value of the plundered articles. But it does not appear how many, and what they were. The sea assuredly kept its share of them.

Mr. Christie claims payment for the whole of the cargo, and even for the freight of the vessel.

In this manner the effects of the shipwreck remain entirely neutralized.

If this principle be admitted, people will be found to assume the responsibility, not only for the crimes of depredators, but also for the imbecility of captains, and even for the fury of the winds and waves. The Imperial Government will apply a remedy to all these disasters; and the Insurance Companies will not have a better auxiliary than the coast of Albardao, or than any other desert coast of the empire.

December 27, 1862.

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Enclosure 3 in No. 72.

*Memorandum on the Question relative to the Officers of the  
"Forte" Frigate.*

(Translation.)

Her Britannic Majesty's Legation having complained of the proceedings attributed to the Commandant and soldiers of the detachment at Tijuca towards some officers of the English frigate "Forte," the Imperial Government sought for information about the facts of the case, through the means of the competent authorities, in order to be enabled to form a sure judgment respecting the claim, and to resolve according to what might be just, because nobody should be condemned without proofs, and these cannot be substituted by the simple allegations of complainants.



The act took place in a lonesome situation: it became therefore necessary to put questions to the Commandant and soldiers of this detachment, who in the exercise of their duties committed that act; premising that the information given by those agents of the public force was confirmed by two persons completely foreign to the question, to wit, Messrs. Bennett and Müller.

Mr. Christie wished to have copies of these inquiries, which were frankly confided to him in the originals. His Excellency soon afterwards transmitted to the Government the contradiction of those inquiries by the Chaplain Clemenger, Lieutenant Pringle, and Midshipman Hornby.

Certainly Mr. Christie cannot but acknowledge that, however honourable the characters of those persons may be, their allegations are not sufficient for the formation of proofs in a court of justice, although there might be no other proofs to the contrary, because they are produced by the complainants themselves.

It would be contrary to all principles, and extremely dangerous, to condemn the accused from mere allegations of the accuser.

If Her Britannic Majesty's Legation places its faith on what the officers of her navy said, there is no reason whatever why the Imperial Government should refuse faith to its agents.

There is, however, the circumstance of the depositions of the Brazilian agents being corroborated by two completely disinterested witnesses, which upon unprejudiced minds must shed some light over this difficult question, and lead the impartial magistrate to believe it more probable that the truth is on the side which presents declarations of persons absolutely foreign to the fact inquired into.

Mr. Christie complains that no answer has yet been given to his note of the 19th of August. What could the Imperial Government in truth do? There were no more witnesses to be questioned, all possible proofs had been collected, and against these what fresh matter was presented was the contestations of the complainants.

The English officers expressed a desire to be confronted with the German, Müller, whose deposition they rejected. But the Chief of Police reports that, after the 2nd of July, those officers did not appear again at the Department under



his charge, even voluntarily leaving off attendance at the interrogatories of Messrs. Bennett and Müller.

That, however, would not prevent the adoption of that measure again, if therefrom some more elucidation of the question could be obtained.

Having made these preliminary observations upon the generality of the process, it is proper to reply to the divers topics of Mr. Christie's note of the 19th of August last.

He observes that of the four witnesses who circumstantially relate the commencement of the question, only one of them spoke from his own knowledge; because the others could only repeat what they heard from him, whose testimony they faithfully reproduced.

It is, however, proper for Mr. Christie to consider that, besides the Commandant of the detachment, four soldiers were interrogated. It is true that the beginning of the conflict was with the sentinel, but it is also true that he immediately called out the guard, and that, the other soldiers who were in the guard-house having directly come out, all of them, the Commandant and the soldiers, were present at the struggle which followed.

All the depositions are concordant that the sentry was at his post; that the complaining officers were the aggressors; that even before reaching the detachment they had been troublesome to a patrol which they met on the road, and that in front of the quarters of the detachment they had stopped a passer-by, who was going up the hill on horseback.

The evident result of these declarations is, that the soldiers and their respective Commandant were present at the conflict, and that their depositions refer to facts of which they were eye-witnesses.

They are simple facts, and it is no wonder that there should be unanimity in the statements of them made by the witnesses in their generality, although showing different versions respecting secondary circumstances, as is always the case on similar occasions, as, for example, about the precise moment of the conflict, the noise made by the officers in the guard-house, and other facts of minor importance.

Mr. Christie further says, "The English officers declared that the Commandant only appeared ten minutes after their imprisonment, and that consequently his deposition is not worthy of being credited; because having declared that



which he had not previously seen, it is to be supposed that he had declared what he had not afterwards seen ; that he was absent when the disturbance began ; and it is presumable that he himself would not confess a breach of his duty."

Not only the delarations of the Commandant, but also those of the soldiers of the detachment, which are all unanimous in stating that, upon the calling of the sentry to arms, the Commandant came out and pacified the officers until they were locked up, are contradicted by the English officers.

Let Mr. Christie take note that there was no reason why the Commandant, if he had been absent, should not have said so ; because he might have absented himself at ten minutes' distance from the guard-house upon any other service, without any blame being imputed to him on this account as a dereliction of his duties.

Mr. Christie regrets that the Chief of Police, in his Report to the Minister of Justice, under the date of the 5th of July, should have explained, by the imputation of inebriety, the release of the English officers, and this without any inquiry or justification ; and he adds, that that imputation is not mentioned in the Report of the Commandant of the detachment at Tijuca, to the Sub-Delegate of Engenho Velho, the only one that the Chief of Police possessed on that occasion.

This magistrate declared that he had ordered the release of the officers, finding that there was no matter for a process, because the acts of the said officers were merely the result of the state in which they then were.

Let Mr. Christie allow me to observe to him that the Chief of Police, although he had not yet commenced a formal inquiry, was already aware that when the conflict took place the officers had just had a pleasure party, after which there is almost always a display of excitement and hilarity, which even happens to the most serious persons, principally to youths, without producing any injury to their character ; and therefore it was to this animation that the Chief of Police attributed the proceedings of the officers, being without any reason to suppose that, under other circumstances, they would choose to despise the public force, and much less seriously to attack it.

He therefore thought that there was no matter for the institution of a process, and ordered the release of the officers ; the inquiry which subsequently took place was more for the purpose of verifying the proceedings of the agents of the



public force, than for the purpose of establishing the culpability of the said officers.

Certainly the circumstances of the officers appertaining to Her Britannic Majesty's navy, and the intervention of their superiors and of the respective Consul had to be taken into consideration by the said Chief of Police, and if he did not sooner order the release of the officers, that is, when solicited by Captain Saumarez, it was because he had not yet received the official Report of the Sub-Delegate, whereby he might learn the reason of the imprisonment, and that the officers were placed at his disposal.

In his Report of the 5th of July, the Chief of Police did nothing more than reproduce the allegations contained in the inquiry.

The officers deny that they were tipsy, and complain of the imputation. But what did Robert Bennett and Rodolph Müller say in their declarations on this point?

It is comprehensible that in that state the said officers should have proceeded in the manner stated by the witnesses; but it is not explained, nor is it conceivable, that the sentinel, without provocation, should have left his post, which is off the road, to attack three individuals who were quietly passing by on that road.

The Tijuca Road is one of the most frequented in the suburbs. The detachment has long existed there, and no representation has been made against acts of violence or exorbitance on the part of the soldiers of which it is composed; which leads to the conclusion that it would not be with the English officers, without provocation, that the first fact should take place.

It is conceivable that the sentry having been provoked, and a struggle having followed between the English officers and the soldiers of the detachment, it became necessary to make use of some vigour in order to force the said officers into the prison. But that, after being confined, they were treated with urbanity, they themselves acknowledge.

It was certainly from a desire to know the names and qualities of these persons that the Commandant of the detachment sent for an interpreter. How is it, therefore, admissible that, the officers having given their names and qualities in writing, the Commandant should throw it on the floor after reading it?

The English officers say that an Austrian served as an



interpreter, and fully explained to the Commandant their quality and profession, and that they replied to all his questions.

But not only the Commandant and the soldiers deny that such a declaration had been made, but, on the contrary, state that one of the officers having written their names, another of them seized the paper, tore it, and threw it on the ground; also, the very Austrian, to whom the officers refer, the interpreter Müller, declared that, on his explaining to the officers the reason why they were imprisoned, and asking them for their names and positions, they sharply answered him, without ever declaring one thing or another.

It is in some degree to be comprehended that the officers, cowed on finding themselves prisoners, did not choose to reveal their rank and profession, and that they should have satisfied themselves for the time with the threat, which they themselves declare to having addressed to the Commandant of the detachment, that they would soon call him to an account for his proceeding.

On the following day, the officers being sent to the city, the Commandant in his report, which accompanied them, did not mention their names, not having any reason for so doing, but there would have been convenience in declaring them, if by chance he had known them.

It was only after they were at the police office that the British Vice-Consul declared them to be officers of the British navy, when they were immediately transferred from the civil prison to that of the police corps, where they made but a short stay, and were released as soon as the Sub-Delegate placed them at the disposal of the Chief of Police, stating to him the cause of their imprisonment.

Mr. Christie makes the observation that the officers deny their having sticks with them, saying that Mr. Clemenger alone had an umbrella in his hand; while in the official despatch addressed to Mr. Christie himself on the 24th of June last, Admiral Warren says that the soldiers took from the officers their umbrellas and sticks.

In their refutation of the Commandant's deposition, the officers said that not one of them carried a metal flask slung with a leather strap over the shoulder, but that Mr. Clemenger had one. It is exactly what the Commandant said, with the addition that the flask contained the remains of liquor, whilst the officers said that it was empty.



The officers further say that they did not dispute with the Brazilian soldiers, because they do not speak Portuguese. Mr. Christie will, however, grant that it is not on this account that the officers would fail to deride them; as well as that, notwithstanding their ignorance of the language of the country, they themselves declare having given the Commandant to understand that they would ere long call him to account for his behaviour.

The officers deny everything besides that the witnesses said against them. But Mr. Christie will have the goodness to consider that the denials of interested parties cannot be admitted as proofs in a Court of Justice, or neutralize the depositions of witnesses who are impartial; besides that the allegations of the officers do not appear to be very probable.

The complaint would be held reasonable if, from the dress, or any other declaration, it were known the said officers belonged to the British navy; but, quite on the contrary, it appears that they were dressed in plain clothes, and that they made no declaration. It finally appears that as soon as their quality was known they were immediately released, there being otherwise no matter for addressing a communication to Her Britannic Majesty's Legation on this subject.

The Imperial Government, from the foregoing explanation, does not doubt that Mr. Christie, impartially appreciating this frank and loyal statement, will deem it convenient to reconsider the subject of the present claim.

December 27, 1862.

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Enclosure 4 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, December 30, 1862.

M. LE MARQUIS,

I have read with much pain your Excellency's note of yesterday, for I see by it that all the efforts which I have made to prevent the necessity of acting on my ulterior instructions have been in vain, and that it is idle to try further persuasion.

It is now necessary for me to reply to your note of yesterday, and also to the previous note dated the 18th, to which your Excellency observes that I have yet made no written



reply, and I think it desirable briefly to recount what has passed between us since the 20th, in order to complete and to correct your Excellency's narrative.

In one of my notes of the 5th instant, I had not, as your Excellency is pleased to say, fixed a peremptory term, but I had requested you to endeavour to furnish me with replies to the demands of Her Majesty's Government in the two questions of the "Prince of Wales" and the "Forte" by the 20th of this month. Not having heard from your Excellency in the interval that there would be any difficulty in complying with this request, I arrived in Rio from Petropolis, where as you know, my health obliges me to reside, on the morning of the 20th, in order to receive the expected replies, and be at hand to confer with your Excellency if it should be necessary. Finding no reply waiting for me, I sent Mr. Brodie to your Excellency's private Secretary to ascertain when I might expect to receive your replies; and Mr. Brodie was informed that on one of the two questions the reply was not yet ready, as your Excellency was waiting for a document from the Ministry of Justice, but that I might count on receiving the answers on Monday the 22nd. On that day I received your Excellency's short note proposing to refer both questions to London, discussing neither question, making no reference to any document from the Ministry of Justice, and, though the answers had not been ready on the 20th, bearing date the 18th.

A few hours after the receipt of this note I visited your Excellency. I told you that my instructions did not permit me to accept your reply. I pointed out to you that there was no allegation of new matter to be laid before Her Majesty's Government, and that, if any new matter existed, it should be submitted to me, who am charged by Her Majesty's Government with instructions to negotiate these questions here. Referring to your statement that I had paid no attention to the verbal explanations given me on the subject of the ill-treatment of the officers of the "Forte," by your Excellency, and more particularly by the Minister of Justice, I asked you what these had been and denied all knowledge of them, and your Excellency confessed that none had been given to me after the examinations made by the Chief of Police. You said you had referred to my interviews with yourself and the Minister of Justice before the investigation was held, when my only object was to urge a full inquiry, and we were



none of us in a condition to discuss the question, and you could not have given me explanations if you had wished it. I reminded your Excellency that, after I had received the depositions, I called on you by appointment for the purpose of discussing the question, and that you immediately declared yourself altogether unprepared and unable to discuss it, and did not suggest any other day for a conference. It was after this fruitless interview that I addressed to your Excellency my note of the 19th of August, to which you never deigned to reply, not even to that part of it in which I informed you of the desire of the three officers to be confronted with the witness Müller. I also called your attention to your statement that the depositions had been confided to me privately (particularmente), insisted that I had asked for them and received them as of right, and reminded you that Senhor Sinimbu had at last sent them to me in original, because, when I pressed him for them after an unexpected and unreasonable delay, he had found that no steps had been taken to make copies for me as had been promised. I represented to your Excellency, without discussing the propriety of the proceeding, that you were mistaken if you supposed you would be appealing from me to Her Majesty's Government, that the appeal would be to Her Majesty's Government from itself; for that every note and document on both questions had been sent to Lord Russell, Her Majesty's Government had judged the questions, framed the demands, and given me full instructions. In fine I informed your Excellency that I was instructed, if satisfaction was not given, to address myself to the Admiral, and I begged you to receive this communication in the spirit in which I made it, by no means intending to menace, having no instruction to give you this information beforehand, but hoping, by so doing on my own responsibility, to aid in averting disagreeable events. I gave you this information confidentially for confidential communication to your colleagues, and I resisted your Excellency's requests that I should inform you in writing; and I did so partly because it was not within my instructions to warn you, and partly from a consideration, which I hope even yet may be appreciated, for the Imperial Government, because I thought a note such as you requested might bear the appearance of menace. Your Excellency did not press for the note, and I then asked you if it would be possible to inform me on the evening of the next day (the 23rd) whether the Imperial Government would or



would not recall their resolution to refer these questions to London. On your Excellency's expressing a desire for further time I at once proposed to wait till Saturday the 27th, and on the following morning, the 23rd, I again visited your Excellency and requested you to prepare to answer me on the fundamental question of satisfaction by the evening of the 29th. Your Excellency has omitted to mention the chief reason which I gave you for my anxiety to avoid unnecessary delay. I stated that sickness was beginning to show itself extensively among the crews of the British vessels which were waiting in the harbour ; and I have yet to learn that this reason ought not to have weighed with me, and might not, under the circumstances, be mentioned to your Excellency to urge as speedy a solution as would permit time enough for due deliberation. Your Excellency assented to the times which I proposed, and expressed no desire for a longer period for deliberation.

On the morning of the 27th I again, according to agreement, visited your Excellency, and we held a conference of some hours. You caused to be read to me, in your presence, the two memoranda of which you enclose copies in your yesterday's note, and I freely discussed them. I suggested some corrections of errors of fact in the memorandum of the "Prince of Wales" question, which I am glad to see have been made in the copy now sent to me. On leaving your Excellency I requested permission, which you granted me, to take away with me the memoranda, that I might read them once more with attention ; and when your Excellency called on me the same evening, I returned the memoranda to you, saying that I had read them and reflected on them, and that I saw nothing in them which could materially modify the opinions of Her Majesty's Government on the course of action prescribed to me.

You sent your private Secretary to me very early the next morning, and, in reply to your Excellency's message by him, I could only repeat what I had said to you on the previous evening.

These two new memoranda do not furnish a single new fact or argument of any importance. They entirely exculpate the Brazilian authorities. They do not admit the slightest particle of reason in the opinions and demands of Her Majesty's Government. They do not propose any sort or degree of satisfaction other or less than Her Majesty's Government



have demanded. They are, in fact, entire refusals of redress. I cannot see in these memoranda, any more than in your Excellency's previous notes, the slightest proof of that desire which you say that the Imperial Government has shown throughout to settle amicably both these questions. Your Excellency is kind enough to admit, in your yesterday's note, that there is some foundation for some part of the opinion of Her Majesty's Legation, notwithstanding their general incorrectness, but you have not condescended to state which are the points on which we have managed to escape error.

Our discussion of one of these memoranda, that on the "Prince of Wales" question, elicited a new fact of some importance; and that new fact is seriously prejudicial to the case of the Brazilian Government. Your Excellency had laboured hard in one of your notes to convince me that the Inspector of the District, Faustino, had not been dismissed for culpable neglect of duty, but simply and solely for a short and unimportant delay in communicating the intelligence of the wreck. It appears from the report of the Chief of Police of Rio Grande of March 10, 1862, that the chief cause of Faustino's dismissal was his release of a prisoner who had been apprehended with property in his hands stolen from the wreck. Not only was he chiefly dismissed for this cause, but the Juiz do Direito was also called upon to prosecute Faustino for this culpable act. Your Excellency even still suppresses this fact in the memorandum which you have sent me, though in other respects it has been corrected; and I am the more surprised at this, as we discussed the point at some length, and clearly established the fact of Faustino's dismissal on account of this highly culpable proceeding.

The civilized nations to which the Imperial Government now proposes to appeal, will judge how far such an act tends to justify the general charges of misconduct made by Her Majesty's Consul against Faustino, and his father-in-law Soares, the Justice of the Peace, and adopted by Her Majesty's Government; and the same nations may perhaps see in your Excellency's persevering suppression of this fact, and no less persevering denial of Faustino's culpability, as also in the assertion in your note of the 18th, of verbal explanations given to me in the question of the "Forte," which never were given, signs of a mode of treatment of these questions, either inconsistent with perfect frankness, or unworthy of their very serious character.



Your Excellency, in your yesterday's note, has strangely made a serious mistake in stating the demand of Her Majesty's Government, in the case of the "Prince of Wales." You speak of the indemnity demanded for the supposed assassinations. There is no such demand. Her Majesty's Government are, indeed, of opinion, that there is the strongest presumptive proof of murder of the crew ; but they have strictly confined their demand of indemnity to the property plundered. Strange as it is that such a mistake should be made by your Excellency in a matter of such importance, it is the more strange as I pointed out a similar mistake in the memorandum which you showed me, on the 27th, and the mistake has been corrected in the copy enclosed in your note.

As to the memorandum on the question of the "Forte," I must protest against your statement that Mr. Bennet, the respectable proprietor of the Tijuca Hotel, is a witness adverse to the officers. What did Mr. Bennet state? That he had heard the three officers' voices, as they passed his residence, just after leaving the hotel, that they seemed to be in good spirits, and that when the news of their imprisonment came to him, he inquired at the hotel what they had drunk at dinner, and ascertained that they had had two bottles of Bordeaux, and half a decanter of Cognac among them ; that is, that three men, who had been on foot from a very early hour in the day, had drunk two bottles of light French wine among them at dinner, and taken each a glass of Cognac with their coffee. Is this any evidence against the officers? Mr. Bennet is made to add, and he added it, of course, in answer to a foolish question, that he knew nothing of what they might have drunk between his hotel and the Tijuca guard-house. How could he know what they drank elsewhere? Does this necessary ignorance of Mr. Bennet's prove that they drank anywhere else?

Of the witness Muller, who remains, according to your Excellency's view, the only disinterested witness, and who is doubtless adverse to the officers, it is enough to repeat that the officers asked to be confronted with him, and that during four months your Excellency has never vouchsafed them the opportunity, or condescended to reply to the note of Her Majesty's Minister.

Your Excellency says, of the officers of the "Forte," that the Imperial Government is convinced that the police



authorities were not wanting in proper respect to the British navy; in their proceedings towards three individuals dressed in plain clothes, who refused to declare their names and rank. This language involves a charge of deliberate and persevering falsehood against the three officers, one of whom is the chaplain of the frigate; and I feel sure that I anticipate the judgment of Her Majesty's Government, when I say that such language seriously aggravates the responsibility of the Imperial Government for the outrage and indignities of which the three officers were victims, and the affront offered through them to Her Majesty's navy.

Her Majesty's Government will not shrink from the appeal which you announced to the civilised world.

Your Excellency returns, in your yesterday's note, to a defence of the appeal which you had proposed to make from me to Her Majesty's Government. Let me repeat to you that that would have been really an appeal from Her Majesty's Government to itself. Does your Excellency suppose that I could have taken on myself to frame my notes of the 5th, and the demands with which they concluded? Let me further say, that such an appeal from a Minister to his Government is contrary to all custom and precedent, and would, I feel sure, have been summarily rejected by the British Cabinet. I might have fairly resented, if I had chosen, the insinuation of injustice which your Excellency has thought fit to launch against me; but I was unwilling to introduce a personal element into these discussions, and you know that in our conferences I have made no allusion to this unworthy insinuation. It so happens, that in another note from your Excellency, dated only three days later, the 21st, you address yourself with confidence, on an important subject, to my enlightened mind for an accurate and benevolent opinion. I confess that the insinuation of injustice in your note of the 18th deprives this compliment of value for me. On the other hand, it is serviceable as neutralizing your previous censure. I set one against the other, and, under such circumstances, may say, without disrespect to your Excellency, that I am indifferent both to the praise and to the censure.

A recent diplomatic publication furnishes a precedent of such an appeal as your Excellency proposed to make from me to my Government. The Mexican Minister in Paris made an attempt in September, 1861, to appeal to M. Thouvenel from the French Minister in Mexico. M. Thouvenel quickly in-



interrupted by saying, " We will not receive your explanations ; we have entirely approved the conduct of M. de Saligny, and, in accord with England, we have given orders that a squadron composed of ships of the two nations shall require a proper satisfaction from the Government of Mexico, and your Government will learn from our Minister and our Admiral what are the demands of France." (Papers relating to Mexico communicated to the United States' Congress, May 1862.) It is a satisfaction to me to think that by firmly refusing to admit your proposed appeal I may have saved your Minister in London from a similar disappointment.

Her Majesty's Government, though they earnestly hoped that their demands would have been acceded to, felt it right to provide for the possibility of refusal ; and Admiral Warren, the Commander-in-Chief of Her Majesty's naval squadron on this station, will immediately proceed, under instructions with which he is furnished, to take steps for making reprisals on Brazilian property.

The property which may be seized will be held as a security until Her Majesty's Government obtain the satisfaction which the Government of the Emperor have totally and peremptorily refused, unless they shall be compelled by superior force.

I need not tell your Excellency that reprisals are a well understood and acknowledged mode among nations of obtaining justice otherwise denied, and that they do not constitute an act of war.

The measures which will be taken by Admiral Warren are within the bounds of a state of peace. It rests with the Government of the Emperor to remain within these bounds or to transgress them. In the earnest hope that peace may not be broken, and with an ardent desire for a return of those cordial relations which Great Britain has always sought to cultivate with Brazil, but which cannot exist if Brazil perseveringly refuses reparation for wrongs done to British subjects, I beseech your Excellency and your colleagues to remember that a grave responsibility will lie on you if violent resistance to reprisals, or measures of retaliation, or injuries to British persons or property on shore, shall lead to further and deplorable complications.

Admiral Warren will use every possible endeavour to execute his instructions so as to avoid a hostile conflict.

I avail, &c.,

(Signed)

W. D. CHRISTIE.



## Enclosure 5 in No. 72.

*Circular addressed by Mr. Christie to Her Majesty's Consuls in Brazil.*

Rio de Janeiro, December 30, 1862.

SIR,

Demands which I have made by order of Her Majesty's Government to the Government of Brazil for compensation for the plunder of the wreck of the English barque "Prince of Wales," in the Province of Rio Grande do Sul, in June 1861, and for satisfaction for the ill-treatment of three officers of Her Majesty's ship "Forte" in June last, by the police-guard of Tijuca and the police authorities at Rio, having been totally and peremptorily refused, unless under compulsion of superior force, Admiral Warren will immediately proceed, according to instructions of Her Majesty's Government, to make reprisals on Brazilian property.

The property which may be seized will be held as a security until Her Majesty's Government obtain satisfaction.

Reprisals are a well-understood and acknowledged mode of proceeding among nations for obtaining justice which has been denied, and they do not constitute an act of war.

I have not failed to state this to the Imperial Government, and I have urged them to remember that theirs will be the responsibility—and a grave one—if violent resistance or retaliatory attack or injury to British persons or property in Brazil shall lead to further and deplorable complications.

Admiral Warren will use every endeavour to proceed in the manner most likely to avoid a hostile conflict.

I address this despatch to you that you may be able to explain to British subjects and others the nature of the measures which Admiral Warren is about to take.

I am, &c.,

(Signed)

W. D. CHRISTIE.

## Enclosure 6 in No. 72.

*Mr. Christie to Rear-Admiral Warren.*

Rio de Janeiro, December 30th, 1862.

(Extract.)

The Brazilian Government have totally and peremptorily refused, unless they shall be compelled by superior force, to



grant the demands which I have made, by order of Her Majesty's Government, for compensation for the plunder of the wreck of the "Prince of Wales," and for satisfaction for the indignities to which three officers of your flag ship were lately subjected by the police of Tijuca and of Rio; and it is now my duty to call on you to execute, according to your discretion, the instructions of Her Majesty's Government as to measures of reprisals.

Enclosure 7 in No. 72.

*Rear-Admiral Warren to Mr. Christie.*

"Forte" Rio de Janeiro, December 30, 1862.

SIR,

I have the honour to acknowledge the receipt of your letter of this day's date, acquainting me that the Brazilian Government have totally and peremptorily refused, unless they shall be compelled by superior force, to grant the demands which you have made by order of Her Majesty's Government for compensation for the plunder of the wreck of the "Prince of Wales," and for satisfaction for the indignities to which three officers of the "Forte" were subjected by the police of Tijuca and Rio, and calling on me to execute the instructions of Her Majesty's Government as to measures of reprisal.

In pursuance of your request to act on the instructions of Her Majesty as to measures of reprisal, I have to acquaint you that Her Majesty's steam-sloops "Stromboli" and "Curlew" will proceed to sea this day, and seize on such Brazilian ships as may be considered necessary as an equivalent for the demands of Her Majesty's Government, taking them to Palmas Bay, having done which the "Stromboli" will return to Rio to report their proceedings.

I have, &c.

(Signed)

RICHARD L. WARREN.

Enclosure 8 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
December 31, 1862.

(Translation.)

I received to day at about 10 o'clock in the morning, the



note under yesterday's date, which Mr. William Dougal Christie, &c., was pleased to address to me in reply to that which I addressed to him under the date of the 29th, in which I communicated to him the answer peremptorily demanded from the Imperial Government, about the claims concerning the shipwreck of the barque "Prince of Wales," and the occurrence at Tijuca with some officers of the "Forte" frigate.

Mr. Christie's fresh note, from the terms in which it is couched, far from affording an opportunity, which would otherwise be so desirable, for a friendly and pacific decision of these questions, still further aggravates the difficult and painful position in which the relations of the Imperial Government with the Legation of Her Britannic Majesty are placed.

Therefore, still once more, knowing the inutility of employing further efforts to bring Mr. Christie to the conviction of the injustice and groundlessness, not only of his persistence in the prosecution of these claims, but also principally of the manner in which he proposes to terminate them, and with a view to avoid an unprofitable and inconvenient discussion, I shall be very brief in the answer which I have to give him.

I have above all to correct some of the propositions contained in Mr. Christie's note, which it is impossible to pass unnoticed.

The first is in reference to the alteration which Mr. Christie supposes to have been made in the memorandum relative to the barque "Prince of Wales."

I assure Mr. Christie that no alteration or modification was made in that memorandum, a textual copy having been sent to him of that one which Mr. Christie heard the reading of, and which is still in my cabinet.

In the memorandum about the officers of the "Forte," it is, that according to agreement with Mr. Christie a small alteration was made in that part in which it was said that the said officers had declared that they had no sticks, whereas the Admiral, in his official letter of the 24th of June addressed to Mr. Christie, said that the soldiers took from the officers their umbrellas and sticks.

On Mr. Christie's observing that the officers had not denied their having sticks with them, the word "had" was substituted in the memorandum by "used."

The second correction regards the denial by Mr. Christie



of his having demanded an indemnification for the supposed murders.

In his note of the 5th instant Mr. Christie demanded an indemnification for the "bodies stripped and plundered."

In associating this idea with the preceding claim for the assassination of individuals belonging to the crew of the "Prince of Wales," I understood that the demanded indemnification referred to those murders.

Mr. Christie, however, now better explaining his meaning, declares that what he demands is not an indemnification for the relations of the deceased, but for the property of which he supposes them to have been despoiled.

The explanation does not, nevertheless, remove the objections contained in the memorandum, because it is not yet known to what bodies Mr. Christie refers. Granting that it is to the four which were taken to Rio Grande from Albardao, it would still remain to be known of what property they had been despoiled; an observation equally applicable to the others.

Mr. Christie says that the Imperial Government has made no proposal to him, and that by both the memoranda all the demands of the Legation are repelled.

I correct this proposition by observing that Mr. Christie has neither given time nor an opportunity for the Imperial Government to make any proposal.

When Mr. Christie's notes of the 5th instant were received, in one of which he fixed the term until the 20th for the receipt of replies to them, the Imperial Government upon mature reflection saw that it could not come to an understanding with Mr. Christie on the subjects in question, and that the most appropriate and convenient course to be adopted in the interest of the good relations between the two countries was that of appealing direct to the Government of Her Britannic Majesty.

This was what I communicated to Mr. Christie in my note of the 18th.

It is thereby seen that until then the Imperial Government reserved itself to treat of the subjects in question with the Government of Her Britannic Majesty, and consequently that there was no proposal to be addressed to Mr. Christie.

On the 22nd Mr. Christie came to tell me that the projected appeal could not take place, and next declared that if his



demands were not complied with he was instructed to have recourse to the Admiral.

It was, therefore, on Mr. Christie's part that the impossibility arose of any amicable proposal being made, because he accompanied by a positive ultimatum the persistence in his demands.

Mr. Christie observes that I had agreed that no verbal communications had been made to him in relation to the officers of the "Forte" frigate.

It becomes also necessary to correct this proposition, in asserting that I reminded Mr. Christie, not only that the records of the inquiries had been delivered to him, but that I, and particularly the Minister of Justice, had spoken to him on this subject.

Mr. Christie makes the remark that the witness Bennet said nothing aggravating the conduct of the officers.

Mr. Christie cannot but recognize his mistake by verifying that from Bennet's deposition it appears that he noticed on their leaving the hotel of which he is the proprietor that they were singing on the road, and that on learning of their imprisonment he spontaneously thought that they were tipsy; the result of which is, as has already been said, that this deposition corroborates that of Muller, who also asserts that the officers were tipsy.

With reference to the shipwreck of the "Prince of Wales," Mr. Christie says that the proof of the culpability of the proceedings of the Inspector of the Quarter, Faustino José da Silveira, is, in his having been dismissed for having set free one of the accused; and that the Chief of Police himself, in his official report of the 10th of May, 1862, declared that the said Inspector was to suffer a prosecution on the score of his responsibility.

Mr. Christie must, however, remember that he, in the conference of the 27th instant, confessed that the said act of the Inspector in no way contributed to the perpetration of the crime.

The Inspector justified himself in the inquiry which was held, alleging that he could not but keep watch on the beach, that there was no prison in which the accused could be confined, and that he thought that he might send him inland, with the prohibition not to return to the place.

If for this error the Inspector is responsible to the Govern-



ment of the country, it certainly does not follow that any detriment to the question should be the result of it.

It is true that, in my preceding notes to Mr. Christie, I said that the Inspector had been dismissed on account of his delaying to communicate the shipwreck; but in the memorandum, and with the documents presented at the conference, it was explained that this censure had been taken from the official reports of the Chief of Police of the 10th of May last, and that from subsequent and more minute examination it was found that that censure was premature, the only fact to be attributed to the Inspector being that of having driven from the beach one of the suspected, whom he otherwise had not the means of detaining in prison.

Having made these essential corrections, and, in contemplation of diplomatic conveniences which I am bound to respect, omitting remarks on some propositions and phrases in Mr. Christie's note, I have to tell him that the Imperial Government has taken due cognizance of the contents of that note; and that it loudly and categorically protests against such violence and so indescribable an abuse of force; and that it still appeals to the Government of Her Britannic Majesty, notwithstanding Mr. Christie's opinion that that appeal is useless.

I renew, &c.  
(Signed) THE MARQUIS OF ABRANTES.

Enclosure 9 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, December 31, 1862.

M. LE MARQUIS.

Information has been brought me of a speech made today at the Exchange to a large assemblage of merchants by the Minister of Public Works, Commerce, and Agriculture, and I am informed that he stated that my ultimatum addressed to your Excellency was only received by you this morning, and that it was known yesterday in the commercial community.

I have taken pains to assure myself of the correctness of this information, and have every reason to believe it to be correct.

Senhor Sinimbú and I probably differ as to the meaning of the word "ultimatum." I understand my notes of the 5th



to have contained my ultimatum, or rather that of Her Majesty's Government. On the 22nd your Excellency was informed by me that I had instructions in the event of refusal of satisfaction to address myself to the Admiral. On the 29th I received your Excellency's final refusal of all satisfaction except under force, and my last note, of yesterday's date, which was delivered at your house at 9 o'clock this morning, was simply a reply to yours of the 29th, and an announcement of the precise nature of the measures which the Admiral would take in consequence of your refusal.

This last note, which Senhor Sinimbu, I should say unadvisedly, calls an "ultimatum," was certainly not known yesterday in the commercial community, nor is any part of it known at this moment to any one but myself and my Secretary. It was not finished till 10 o'clock last night; my Secretary then copied it. On the honour of an English Minister and an English gentleman I say to your Excellency that no one out of the English Legation did know or could have known yesterday or today any part of the note; and I feel sure that Senhor Sinimbu will regret having made, on erroneous information, in a moment of great excitement and to an excited assemblage, a statement so calculated to injure me in public opinion.

I learn that Senhor Sinimbu stated that it was the intention of the Government to publish tomorrow the whole of the correspondence, and I hope I shall not in vain appeal to your justice in asking you to include this letter in the publication.

I avail, &c.,

(Signed)

W. D. CHRISTIE.

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Enclosure 10 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, January 1, 1863.

(Translation.)

I acknowledge receipt of the note which under yesterday's date Mr. Christie, &c., addressed to me, with the object of explaining the meaning of phrases which he is sure were used on the Commercial Exchange by the Minister of Agriculture, Commerce, and Public Works, in reference to the ultimatum addressed to the Imperial Government in the note dated the 30th, and received on the morning of the 31st of last month.



Mr. Christie has been informed that the Minister of Commerce, in the short speech which he made on the Exchange, considered as ultimatum Mr. Christie's note of the 30th, while the ultimatum, as Mr. Christie declares, was in his three notes of the 5th.

Pointing out to Mr. Christie that, as regards what the Minister of Commerce said on the Exchange, the Imperial Government knows only what is published in today's "Diario Oficial," I have further to inform him that, in conformity with his wishes, his note shall appear in the "Diario" together with this my reply.

I avail, &c.,  
(Signed) MARQUIS OF ABRANTES.

Enclosure 11 in No. 72.

*Mr. Christie to Acting Consul Hollocombe.*

Rio de Janeiro, January 1, 1863.

SIR,

I have to instruct you to cause it to be made generally known that if any vessel seized by Admiral Warren's orders shall contain property belonging to parties who are not Brazilians, the Admiral will, on the nationality of the owners being proved to his satisfaction, give every facility in his power for the delivery of the property to the owners without any delay which can be avoided.

I am, &c.,  
(Signed) W. D. CHRISTIE.

Enclosure 12 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 1, 1863.

M. LE MARQUIS,

I received about 11 o'clock last night your Excellency's note of yesterday.

I find that your Excellency is right in saying that the mistake in the memorandum on the "Prince of Wales" question, as to the demand of indemnity for the probable assassinations, was not corrected in the copy sent to me.

But your Excellency is wrong in saying that no correction



whatever has been made in that copy. The date of the note of the 25th October, in which there was a mistake, has been corrected at my suggestion. This, and the correction made at my suggestion in the memorandum on the affair of the "Forte," which your Excellency mentions, and even still more your own statement, made when you visited me in the afternoon of the 27th, that I had most clearly explained the mistake about the demand as to assassinations, led me too hastily to conclude that this mistake also had been corrected, as it should have been, in the memorandum.

This is only one of the errors imputed to me by your Excellency to which I can plead guilty.

Your Excellency persists in a misstatement of importance when you say, "Mr. Christie, in his note of the 5th, required an indemnity for the bodies stripped and plundered." Mr. Christie does nothing of the sort in that note. I say in that note, that "Her Majesty's Government ask for compensation for the plundering of the wreck and of the bodies." I again say in that note that I am instructed to demand compensation "for the wholesale plunder of the wreck, and also for the robberies of the property of the crew." Lastly, I speak of "the compensation to be made to the relations of the people on board whose bodies were stripped and plundered;" and I have given no subsequent explanation clearer, as you say, than my original words.

I adhere to my statement that no verbal explanations were given to me either by you or Senhor Sinimbu after the investigation made by the Chief of Police, and that this was confessed by your Excellency. In the previous interviews, when my only object was to obtain an investigation, and the facts were not known, material explanations could not have been given me; I remember none at all. Your Excellency says that the verbal explanations which you have accused me of not attending to were all given in the preliminary interviews; and you will probably think it right and necessary, in appealing to the British Cabinet, to state—which you have not yet done—what are these important explanations which I have disregarded.

I beg to deny altogether the responsibility which you throw on me for there not having been time or possibility for the Imperial Government to make me some proposal which I might have discussed between the 5th and 29th of December.



I wish here to place on record that, when your Excellency visited me on the evening of the 27th, I voluntarily declared my readiness to accept, in the question of the "Forte," an explanation as to the conduct of the Chief of Police which could not hurt his feelings. I said that, having the advantage of knowing that gentleman, having listened to your Excellency's explanations, and having well considered the matter, I should willingly take on myself the responsibility of accepting an explanation, that, though it was to be regretted that without any information he had used words imputing inebriety to the three officers, he had done so by inadvertence and without offensive intention. The Imperial Government not having permitted a settlement of this question, I am anxious at once to give to this testimony, whatever it may be worth, in favour of a public functionary whom I respect.

That Mr. Bennet, at whose hotel the three officers had dined, should, on hearing of their imprisonment an hour after, have inquired what they had drunk at dinner, does not prove, as your Excellency says, that he spontaneously judged that they were intoxicated, but only that he wished to ascertain whether there could have been that cause for an imprisonment, which he, like every other just man, would be unwilling to believe was an outrage without cause.

Your Excellency does not seem to be able to see the force of the culpable act of Faustino which you had kept from view. Certainly the release of the prisoner could not have been the cause of the crime for which he had been apprehended. I should hardly have thought it necessary for your Excellency to propound this truism. Cannot your Excellency see that such an act gives good grounds for belief that the same official, whose conduct besides was generally suspicious, would have overlooked and failed to prevent other crimes?

I have thus gone through all the points of your Excellency's note of yesterday, with the exception of the one in the last paragraph, in which I am informed that the Government of the Emperor will appeal to Her Majesty's Government.

I lament this resolution, because a perseverance in it will render impossible a release of the property taken in reprisal, until I can receive instructions from Her Majesty's Government. Your note of yesterday fails even to carry out the declaration of your note of the 29th, that, in the question of the "Prince of Wales," the Imperial Government would,



on the display of force, pay such sum as I or Her Majesty's Government might demand. The moment I might have heard, or may yet hear, that the Imperial Government, consistently with the previous statement, would pay what I think a reasonable sum in the matter of the "Prince of Wales," I have been and still am ready to request the Admiral to send immediate orders to desist from further seizures. I will also declare to your Excellency my readiness to entertain, for the consideration of Her Majesty's Government, any reasonable proposal, such as was never made to me during the four-and-twenty days which preceded the beginning of reprisals, as, for instance, a reference of all the questions in dispute to an impartial arbitration. The endeavours of the Government of the Emperor to distinguish between me and Her Majesty's Government, which have given an illusion and example to your press, do not influence me to withhold these offers of conciliation, made in the interest of the commerce and friendship of the two nations, any more than I shall be deterred, if these efforts fail, from continuing to do my duty firmly under my instructions. For there is one point, M. le Marquis, in which, at this unhappy moment, among all our differences, I agree with your Excellency's statements, and that is, a belief in the justice and rectitude of my own Government.

I avail, &c.

(Signed) W. D. CHRISTIE.

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Enclosure 13 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
January 2, 1863.

(Translation.)

I received yesterday, at about 3 o'clock in the afternoon, the note which, under the same date, was addressed to me by Mr. Christie, &c.

In that note Mr. Christie begins by contesting some observations which I took the liberty to make on certain expressions in that which he addressed me on the 30th of the last month, and closes by manifesting the disposition in which he is of terminating, by pacific means, the questions now being



discussed in the interest of commerce and of the friendship which exists between the two nations.

Before replying to the second and more essential part of the note before me, Mr. Christie will allow me to make a few brief observations on the objections which he has been pleased to take against the reflections contained in my note of the 31st of last month.

The memorandum on the question of the "Prince of Wales" did not undergo any correction at all, and was transmitted to Mr. Christie in a textual copy of the one which was read at the conference of the 27th.

Mr. Christie will doubtless acknowledge that the having added to the date of the note of the 25th of October the year 1861, cannot be considered as a correction, because as that note of the British Legation was the only one of that date, the want of the indication of the year could not give rise to the least ambiguity. As, therefore, I said in my note of the 31st of December, one only word was amended or substituted in the memorandum relative to the officers of the "Forte."

And thus, as Mr. Christie had the goodness to acknowledge that there had been a mistake on his part, in asserting that in the memorandum about the "Prince of Wales" a modification had been made in that part relative to the claim on the subject of the murders, he will admit that no correction whatever was made in that same memorandum, the simple addition of the year 1861 not being possibly considered as such.

In making these observations, I merely do so in order to correct facts, although they be unimportant. As to the compensation demanded by Mr. Christie for the relations of the crew, it is not difficult for me to understand, from the explanations subsequently given to me by him, that the compensation was demanded for the pretended plunder of their bodies.

But Mr. Christie cannot but admit that, notwithstanding this modification, the essential observation still exists which is read in the respective memorandum, and that is the difficulty, if not the impossibility, of determining which are the bodies and what are the effects of which they were despoiled.

Mr. Christie persists in his allegation that he received no verbal explanation either from M. Sinimbú or from me, about the officers of the "Forte" frigate. This being his conviction, I



must believe that I was not well understood when I declared to Mr. Christie that I, as well as the Minister of Justice, had spoken to him on this question, not only before, but after the inquiry conducted by the Police Department: it would be difficult for me to refer to the words uttered by me on those occasions; but they must certainly have been those which would be suggested by the state of things showing, on the one side, a desire to do everything that might be possible to satisfy Mr. Christie, and on the other the impossibility of disregarding the depositions of witnesses, only for the purpose of putting faith in the allegations of the interested parties.

Mr. Christie likewise insists upon the unimportance of the deposition of the witness Bennet. Certainly this deposition of itself alone would not be sufficient to constitute a formal proof; but, connected with the deposition of the German, Müller, who asseverated that the three officers were tipsy, Bennet's deposition comes to corroborate that assertion.

Respecting the Inspector, Faustino, I must observe to Mr. Christie, that from the fault committed by him, in not imprisoning one of the indicated persons, wherein he endeavoured to justify himself by the declaration that he had not the means of confining him, it cannot be inferred that he had been negligent or connived at the perpetration of the crime, it having been besides judged that the censures of that functionary for other causes, such as for not having given timely information of the shipwreck, and for having opposed the disinterment of the bodies, were unfounded.

If it be unjust to draw such an inference, if from thence it cannot be concluded, *à priori*, that Faustino had allowed the perpetration of the crime, or had concurred towards its commission, of what other crime could it be supposed that Faustino had been guilty in having committed that fault?

Besides the danger and inadmissibility of the principle of the conclusion from one proved fault to another completely destitute of proof, it must be added that, in relation to Faustino, that which was proved was an error committed in the exercise of his attributions, and for which he was accountable to the Government; while the crime attributed to him by the British Legation is of a very different nature, being that of negligence or connivance at the perpetration of the crime.

It is conceivable that an ill-disposed individual may inspire suspicions, and even so there will not be sufficient to



accuse, and still less to condemn him. But a public functionary may commit errors in his official capacity and not on that account be considered a malefactor.

Mr. Christie declines all responsibility for not having allowed either time or opportunity to the Imperial Government for making some proposal, and declares that he was ready to receive and discuss any proposal in the interval between the 5th and 29th of December.

Mr. Christie will be so good as to remember that the Imperial Government, not considering his notes of the 5th of December as an ultimatum, thought that it might appeal directly to the Government of Her Britannic Majesty, and stated the same to Mr. Christie in the note of the 18th of that month. The Imperial Government could not, therefore, make any proposal to Mr. Christie in that interval. Being, however, informed by Mr. Christie, on the 22nd, that he did not admit of any appeal to the British Cabinet, and that if the demands made in his notes of the 5th should not be promptly attended to, he had received instructions to address himself to the Admiral, the Imperial Government found itself from that day (the 22nd) placed in a situation of submission or resistance, and not of proposing modifications of the ultimatum; and that the notes of the 5th of December, as meant by the British Minister, contained an ultimatum, which he himself subsequently declared in his note of the 31st of December.

Under such circumstances, the Imperial Government could not nourish the slightest hopes that any proposal would be listened to, unless it were the pure and simple acceptance of the demands made by Mr. Christie.

It is true that Mr. Christie consented to listen to elucidations which I furnished him at the conference of the 27th; but only on the part of the British Minister could any proposal be made of a modification of his demands, and so he declared when he took away the memoranda, in order to reconsider their contents.

On the afternoon of that day Mr. Christie told me that he would consent to diminish the censure upon the Chief of Police, upon this magistrate's explaining that he had no intention to offend the three officers.

On the following day (28th) I sent my Secretary to inquire of Mr. Christie whether that was the only modification which



he then proposed to make, or whether he felt disposed to make others. Mr. Christie answered that it was the only one which he could agree to, and that the other demands of the notes of the 5th of December were still persisted in.

The proposed modification was not sufficient to neutralize or weaken the gravity of the other demands of the ultimatum; and as the Imperial Government could not accept it, a reply was addressed to Mr. Christie in the terms of the note of the 29th.

From this short and faithful narrative of what passed between Mr. Christie and myself since the receipt of his notes of the 5th, it is clearly seen that the Imperial Government has neither had time nor opportunity for making any proposal to Mr. Christie.

As to what appertains to the second essential part of the note which is before me, the Imperial Government, animated by the same desire which is manifested by Her Britannic Majesty's Legation, to put an end to the questions now pending in such a manner as may be consistent with the great interests of good understanding and the very important relations between the two countries, I have received instructions from His Majesty the Emperor to declare to Mr. Christie, that as the Council of State must be consulted on the proposed means for the fittest solution of these questions, it becomes an urgent necessity that Mr. Christie should await the definitive reply, which will be given to him as soon as possible, to that part of his note to which I have alluded.

And in order to bring this subject better to the knowledge of the Council of State, to which the consideration of it is to be submitted, I request Mr. Christie to have the goodness to tell me explicitly whether the impartial arbitration to which he has proposed a reference is to decide both of the questions; that is, the one relative to the shipwreck of the barque "Prince of Wales," and that which relates to the officers of the "Forte" frigate, or if the arbiter is to confine himself to the latter of these questions, the former remaining solved in the terms of my note of the 29th of last December.

I avail, &c.

(Signed)

THE MARQUIS OF ABRANTES.

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Enclosure 14 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 2, 1863.

M. LE MARQUIS,

I do not think it necessary to continue a discussion on the various minor points on which you have rejoined to me at such length in your note of today, and am content to leave it to the public to judge between us on those points without further observations from me.

I am glad to learn that the Government of the Emperor have judged worthy of consideration the suggestion which I have made for facilitating a settlement of the questions which have led to reprisals on the part of Her Majesty's Government, and in answer to your question whether the suggested impartial arbitration should include both the questions of the "Prince of Wales" and the "Forte," or be applied only to the latter, I have only to say that in my yesterday's note I declared my readiness to entertain for the consideration of Her Majesty's Government a proposal to refer all the questions in dispute to an impartial arbitration.

I shall be ready to give my best consideration, with a view to referring it to Her Majesty's Government, to any reasonable proposal which the Imperial Government may make to me; but until such proposal is before me I cannot explain myself, or indeed form a resolution, on my conditions of acceptance.

I would venture strongly to point out to your Excellency the desirability of your submitting to me in a verbal conference any proposal which you may be authorized to make, and I should hope that we might be able to concur in some written memorandum of agreement to be submitted by you afterwards to your colleagues.

I avail, &c.

(Signed)

W. D. CHRISTIE.

Enclosure 15 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 3, 1863.

M. LE MARQUIS,

I replied last night to your note of yesterday within an



hour after receiving it, wishing to do everything in my power to prevent delay in the negotiation which you have shown your willingness to enter into.

I have nothing to change in what I have said as regards this negotiation. But further consideration has brought me to the opinion that it is important for Her Majesty's Government, and due to myself, that I should notice one of your preliminary observations.

Your Excellency says, in answer to my statement that no verbal explanations were given to me after the investigation of the Chief of Police, and that you had confessed this, that I must have misunderstood you, for you told me that explanations were given both after and before the inquiry. My recollection is very precise, and my conviction very strong, as to what I have stated; but it becomes unnecessary to prolong a discussion as to the variance in our recollections, as your Excellency confesses that you cannot remember your words, but that your explanations would naturally have been such as the state of things would have suggested. That is, your Excellency now describes these explanations not from memory but from conjecture; and it cannot, therefore, be disrespectful or inconsistent with diplomatic proprieties if I say that explanations which you have yourself forgotten could not have merited much attention from me, and cannot justify you in having made them a reason, and the single reason, for referring to the British Cabinet the question of the officers of the "Forte."

I avail, &c.,

(Signed) W. D. CHRISTIE.

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Enclosure 16 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 3, 1863.

M. LE MARQUIS,

I am obliged to call your Excellency's attention to remarks in the "Diario Oficial" of the 1st instant and of today, making a distinction, with reference to the present unhappy state of affairs, between Her Majesty's Legation and Her Majesty's Government, expressing a conviction that my proceedings will not be sanctioned by Her Majesty's Govern-



ment, and charging me with seizing on a pretext for disturbing the friendly relations between Great Britain and Brazil. I must hold the Government of the Emperor responsible for these and any future similar remarks in their official journal. It ought not to be necessary to remind you that I am the Minister of Her Britannic Majesty accredited to your august Sovereign in a Royal letter desiring that faith shall be given to all I say as from Her Majesty's Government, and I have said to you many times, in words and in writing, that I am acting under instructions from my Government.

I avail, &c.,

(Signed) W. D. CHRISTIE.

Enclosure 17 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
January 3, 1863.

(Translation.)

Mr. Christie, &c., in his note of yesterday received by me at 11 o'clock at night, declares that he does not consider it necessary to continue the discussion of various points which he terms as of little importance.

He further declares that he has seen with satisfaction that the Imperial Government considers his suggestion for facilitating the settlement of the questions which led to reprisals on the part of the Government of Her Britannic Majesty, and that he is ready to take into full consideration, and to bring to the knowledge of his Government, any reasonable proposal of that of His Majesty the Emperor, and expresses a desire to confer with me for that purpose.

Fully agreeing with Mr. Christie on the inutility of persevering in the discussion of the points referred to in his note, I will ask his permission to observe that I am not responsible for that discussion.

In regard to the conference wished for by Mr. Christie, I hasten to inform him that it may take place this day, at half-past 5 o'clock in the afternoon, at the house of my residence; and I also hope that Mr. Christie will on that occasion furnish



me with the explanation which I asked him for in my note of yesterday, and which I require to place before the Council of State at tomorrow's conference.

I reiterate, &c.

(Signed) MARQUIS OF ABRANTES.

Enclosure 18 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 3, 1863.

M. LE MARQUIS,

I regret to be unable to attend your Excellency, as you propose, at your house for the conference, but I shall be in the Strangers' Hotel the whole of the day; and if indisposition or any other cause prevents your Excellency from coming to me, I shall be very happy to confer with your Private Secretary, M. Calogeras, who, I know, has your entire confidence.

I avail, &c.,

(Signed) W. D. CHRISTIE.

Enclosure 19 in No. 72.

*Memorandum of Basis of Arrangement.*

The Brazilian Government will oblige itself to pay in the "Prince of Wales" affair the sum which Her Majesty's Government may demand, protesting against its responsibility, Mr. Christie having urged the Brazilian Government to include the questions connected with the "Prince of Wales" affair in its proposal of an impartial arbitration.

Mr. Christie will immediately request the Admiral to give orders for the stoppage of seizures.

The Brazilian Government will propose to refer the question of the officers of the "Forte" to an impartial arbitration, which Her Majesty's Government will be free to accept or decline.

The Brazilian Government will inform Mr. Christie in a separate document for the confidential information of Her Majesty's Government of the arbiters or modes of arbitra-



tion which it will accept, in the hope that Her Majesty's Government may feel itself able to accept one of those proposed, and so a settlement be expedited.

Mr. Christie wishes to understand distinctly whether the Brazilian Government make themselves responsible for all prejudices and losses which may be caused to subjects of third Governments who may be owners of cargoes seized in Brazilian vessels.

All the anterior correspondence in both questions to be published immediately by the Brazilian Government.

The vessels seized to be released.

(Signed)

W. D. CHRISTIE.

January 3, 1863.

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Enclosure 20 in No. 72.

*Rear-Admiral Warren to Mr. Christie.*

"Forte," January 4, 1863.

SIR,

I have the honour to inform you that Her Majesty's steam-sloop "Stromboli," rejoined my flag at 4 p.m. this day. Commander Henry reports having detained the Brazilian vessels named in the enclosed list, and has left them in charge of Commander Forbes of the "Curlew," in Palmas Bay.

Eleven of the passengers on board these detained vessels, who wished to proceed to Rio, were brought up in the "Stromboli," and have been landed accordingly at this place.

In the execution of this service I am happy to inform you that no resort to force was necessary; the usual signal to heave to, by firing a blank gun, being made in the case of three of the vessels, and the other two were stopped by merely hailing them.

I have, &c.

(Signed)

RICHARD L. WARREN.

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Enclosure 21 in No. 72.

List of vessels detained by Her Majesty's ships "Stromboli" and "Curlew."



Name of Vessels.	Master.	Where from.	Bound.	How rigged.	Rough Estimate of Value of Ship and Cargo.	Passengers.
Trinta e uno de Outubro	Joaquim do Santos	Rio de Janeiro	Baradi S. José	Hiate .	£ 700	1
Chaves I. . . .	Ramao Quinteros	Benevente .	Rio de Janeiro	Patacho	2,400	4
Aurea . . . . .	José Francisco di Paula Bizuidon	Victoria . .	Ditto . . . .	Sumaca	890	
Senhora de Carino	Henrique Francisco Pedrozo	Rio . . . . .	Paraté . . . .	Ditto .	450	
Parahyba . . .	José Gonsalves de Frietas	Ubatuba . . .	Rio de Janeiro	Steamer	8,000	4

Enclosure 22 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Ministry of Foreign Affairs, Rio de Janeiro,  
January 5, 1863..

(Translation.)

In compliance with the promise made to Mr. Christie, &c., &c., in my note of the 2nd instant, I come to give him the due reply to the second essential part of his note of the preceding day.

After the receipt of my said note, Mr. Christie addressed to me another, dated the 2nd, in which it pleased him to signify to me that it would be convenient that we should have a conference.

To that note I replied on the 3rd, hastening to acquaint him that the proposed conference might take place on the same day, at half-past 5 in the afternoon, at the house of my residence.

Mr. Christie, being unwell, could not come to my house, as he sent me word by his Secretary, through whom I also informed Mr. Christie that an identical reason prevented me from calling upon him at the hotel which he inhabits.

Mr. Christie having declared in his note of the 3rd, that, if our meeting were not possible, he was disposed to confer with my Secretary, I granted the necessary authorization for that purpose.



Fully informed of every thing that passed in that and subsequent conferences, and the Council of State having been consulted, I now transmit to Mr. Christie the promised reply of the Imperial Government.

Wishing to avoid that an intention should be attributed to it of opposing any pacific and honourable means of solving the pending questions; wishing to contribute, without a diminution of the national decorum and dignity, to the prompt removal of the difficult situation in which the relations of the Government of His Majesty the Emperor and the Legation of Her Britannic Majesty are at present, to the serious injury of the great interests by which the two countries are bound; and lastly in testimony of the entire confidence which it feels in the justice of its cause, the Imperial Government, ratifying the declaration made in my note of the 29th of December last, as to the question of the barque "Prince of Wales," will be ready to transmit proper instructions to the Brazilian Minister in London, to deliver, under protest, and in the terms of the said note, whatever sum the Government of Her Britannic Majesty may demand.

And with respect to the question of the officers of the "Forte" frigate, in accepting the suggestions made by Mr. Christie, in his note of the 1st instant, about an arbitration, the Imperial Government will take care to inform Mr. Christie of the choice of an arbitrator to decide this question; it being understood that the arbiter will have to take cognizance, not of the duty of the Imperial Government to cause the laws of the country to be executed; but only of whether, in the mode of the application of those laws to the officers of the "Forte," any offence has been given to the British Navy.

These declarations will only have effect when reprisals shall have ceased and the prizes has been released.

I have finally to inform Mr. Christie, that if, contrary to what is to be expected, the Government of Her Britannic Majesty should refuse to acquiesce in this agreement, the Imperial Government will maintain its primitive position, which is that of not sacrificing the national decorum and dignity, however much it may deplore the evils which may result from that resolution.

I renew, &c.

(Signed)

MARQUIS OF ABRANTES.



Enclosure 23 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 5, 1863.

M. LE MARQUIS,

I have received your Excellency's note of to-day ; and learning from your Excellency that the Imperial Government are ready to give orders to their Minister in London to pay under protest whatever sum Her Majesty's Government may demand as compensation in the affair of the "Prince of Wales," and also to accept my suggestion of proposing for the consideration of Her Majesty's Government an arbitration in the question of the officers of the "Forte," I will immediately request Admiral Warren to desist from reprisals, and to give immediate orders for the restitution of the prizes which have been made.

Your Excellency may feel assured that reprisals cease from this moment, and that Admiral Warren will send orders without delay for the release of the prizes.

The Imperial Government, for reasons doubtless satisfactory to themselves, have thought it better to pay under protest what may be demanded in the case of the "Prince of Wales," than to adopt my suggestion of proposing to refer that question also to arbitration. In the conferences which I have had with your Secretary, as representing your Excellency, I strongly urged the advantage to the Imperial Government of reserving that chance of a decision more or less in their favour. The force of a protest against responsibility cannot, I think, but be weakened by a refusal to submit the point to arbitration ; but at any rate Her Majesty's Government cannot be open to any imputation of indelicacy in taking on themselves to fix, as they are requested to do, the amount of compensation.

Her Majesty's Government are free to accept or decline the proposal of arbitration in the question of the "Forte."

I think it right to place on record, that your Secretary, representing your Excellency, has also promised me that all the anterior correspondence on both questions between Her Majesty's Legation and the Government of the Emperor shall be published without delay.

I avail, &c.,

W. D. CHRISTIE.



Enclosure 24 in No. 72.

*Mr. Christie to Rear-Admiral Warren.*

Rio de Janeiro, January 6, 1863.

SIR,

I have the honour to inform you that the Brazilian Government have declared their readiness—

1st. To pay under protest to the Government of Her Majesty any sum which the latter may demand as just compensation for the plunder of the wreck of the "Prince of Wales;" preferring this mode of settlement to proposing, as I had suggested to them, to refer the whole of that question to arbitration;

2nd. To propose, in the case of the officers of the "Forte," to refer the question to an arbitration; and it will be for Her Majesty's Government to determine whether they shall accept or decline this proposal.

Under these circumstances, I feel myself justified in requesting you to give immediate orders to desist from further seizures and to release the prizes already made.

I cannot conclude this communication without recording my sense of the cordial cooperation and valuable advice which I have received from you throughout these proceedings.

I am, &c.

(Signed)

W. D. CHRISTIE.

Enclosure 25 in No. 72.

*Rear-Admiral Warren to Mr. Christie.*

"Forte," Rio de Janeiro, January 6, 1863.

SIR,

I have the honour to acknowledge the receipt of your letter of today's date, acquainting me with the steps the Brazilian Government have declared their readiness to take, with a view to the final settlement of the claims of Her Majesty's Government in the case of the wreck of the "Prince of Wales," and the outrage on the "Forte's" officers.

And with reference to your request for the stoppage of further seizures of Brazilian ships, and for the release of the



prizes already made, I have to inform you that I have directed Commander Henry to proceed forthwith to Palmas Bay, to release the ships detained there in charge of the "Curlew," after which he proceeds with all speed to Pernambuco, for the protection of British interests, the "Satellite" leaving in the course of a few hours for Bahia, and the "Dotterel" for Rio Grande do Sul, with a similar object.

I have to thank you for your concluding paragraph, and am gratified to find that you consider I have been of service in assisting you to bring this unpleasant business to a point which will, I trust, lead to a final adjustment.

I have, &c.,

(Signed) RICHARD L. WARREN.

Enclosure 26 in No. 72.

*Circular addressed by Mr. Christie to Her Majesty's Consul in Brazil.*

Rio de Janeiro, January 6, 1863.

SIR,

With reference to my circular despatch of December 30, I have the pleasure of informing you that I have made an arrangement with the Brazilian Government which has led me to request Admiral Warren to desist from further reprisals, and restore the prizes which have been made; so that Brazilian vessels are again entirely free from molestation by Her Majesty's ships of war.

The Brazilian Government have agreed to pay, under protest, a sum which Her Majesty's Government may demand of the wreck of the "Prince of Wales;" preferring this mode of settlement to proposing, as I had suggested to them, to refer the whole of that question to arbitration.

They propose, in the case of the officers of the "Forte," to refer the question to arbitration; and it will be for Her Majesty's Government to determine whether they shall accept or decline this proposal.

I am, &c.,

(Signed) W. D. CHRISTIE.



Enclosure 27 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, January 6, 1863.

(Translation.)

With reference to the verbal explanations which I said had been given by me, and chiefly by the Minister of Justice, to Mr. W. D. Christie, &c., in the question of the officers of the "Forte," Mr. Christie, in his note of the 3rd instant, makes some observations in support of what he had before said on the subject.

As there does not appear to me to be any utility in continuing the discussion on this subject, I confine myself, in answer to Mr. Christie, to acknowledging his note and declaring that I am fully informed of its contents.

I avail, &c.,

(Signed)

MARQUIS OF ABRANTES.

Enclosure 28 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, January 6, 1863.

(Translation.)

I acknowledge receipt of the note which Mr. W. D. Christie, &c., has sent me, dated the 3rd, and in which, referring to some expressions in the "Diario Oficial" of the 1st and 3rd, he corrects the statements and protests against them.

In reply I beg to say to Mr. Christie that, in exceptional circumstances, it is not always possible to avoid some expression or other not quite suitable or correct, especially in writings, such as those in question, hastily prepared; but that I can assure Mr. Christie that the Imperial Government would never approve the intentional employment in the "Diario Oficial" of language offensive to Mr. Christie.

And this appears to me a proper opportunity for removing also from the mind of Mr. Christie the disagreeable impression produced on it by the Imperial Government having resolved to appeal from the judgment of the Representative of Her Britannic Majesty to that of his Government.

Assuredly it cannot with reason be inferred from this fact



that the Imperial Government pretended to doubt whether Mr. Christie had instructions from his Government.

What is naturally to be inferred is that, the Imperial Government considering that Mr. Christie viewed unjustly, though sincerely, the questions in discussion, and hoping that his Government would view them in a different manner, resolved to resort to this measure, without, however, supposing that in it could be seen a censure on the character of Mr. Christie.

I avail, &c.

(Signed) MARQUIS OF ABRANTES.

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Enclosure 29 in No. 72.

*Mr Christie to Acting-Consul Hollocombe.*

Rio de Janeiro, January 7, 1863.

SIR,

When the arrangement which I reported to you yesterday was concluded, I was assured that the correspondence would be published this morning in the official journal and in the other newspapers. This publication has not been made, and a false explanation of the delay has appeared in the "Diario Oficial."

The Marquis of Abrantes has hastened to assure me through his Secretary that he was as much astonished as myself at seeing that the correspondence was not published, that he had given orders for the publication, and that the publication will be made tomorrow with a contradiction of the statement which appears to-day in the "Diario Oficial."

Some journals have turned the delay of publication to account by articles containing information which could only have been supplied by a member of the Government, and full of distortions and misstatements.

It is naturally to be supposed that no person of less position than a member of the Cabinet could have ventured to suspend the order of the Minister for Foreign Affairs, and that the same Minister who has acted thus has inspired the journals to which I refer. I can quite understand that the person who has acted thus would see advantage in a day's delay in order to anticipate by misstatements the impression which the correspondence may produce.



I wish you to make the despatch immediately known as widely as possible.

Tomorrow's publication will show that I have made no unworthy concession, and that I have agreed on the 5th of January to terms such as it is known to many that I have been ready to accept since the 31st of December. If the arrangement which has at last been made, and which restores the commerce of this port to freedom, satisfies the true honour and dignity of Brazil, this can only be an additional source of satisfaction to me, for it is not less my desire than my duty to endeavour to combine respect for the true dignity of Brazil with the vindication of British rights and British honour.

I am, &c.,

(Signed) W. D. CHRISTIE.

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Enclosure 30 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, January 7, 1863.

(Translation.)

In conformity with the arrangement made by the notes exchanged dated the 5th, between this Department and the British Legation, I fulfil the duty of informing Mr. W. D. Christie, &c., that by the packet which leaves to-morrow for Southampton the necessary orders are sent to the Imperial Legation in London to deliver, under protest in the terms of the 29th of last month, the sum which Her Britannic Majesty's Government may demand as compensation for the wreck of the "Prince of Wales."

And I further inform Mr. Christie that the arbiter chosen by His Majesty the Emperor to judge the question of the officers of the frigate "Forte" in the terms of the same note is his Majesty the King of Belgium, in whose wisdom and justice he has the fullest confidence.

I avail, &c.

(Signed)

MARQUIS OF ABRANTES.

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Enclosure 31 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 8, 1863.

M. LE MARQUIS,

Your Excellency hastened yesterday morning to assure me through your Secretary that you felt indignant at all our correspondence not having been published yesterday as had been promised to me; that you had given the order for its publication, and that it had been stopped without your knowledge; that you felt your honour compromised; and that the whole correspondence should without fail appear this morning.

The whole correspondence has not yet appeared, and faith has not even yet been kept with me.

Three notes of mine of January 3rd, and two of your Excellency's of January 6th, have not been published.

I wish to know from your Excellency, before I conclude my report to Her Majesty's Government, whether or not all these omitted notes will be published to-morrow.

I find it necessary to remind your Excellency that you have not yet sent me the promised note as to the readiness of the Imperial Government to indemnify subjects of third Governments, owners of cargoes, who may have suffered by the reprisals. That such a note should be written was part of the arrangement made by me with your Secretary, and your honour and that of the Imperial Government require that such a note should be published with the rest of the correspondence.

Painful circumstances known to your Excellency as well as to myself connected with the non-publication of the correspondence yesterday, which I do not now wish to enter into, but which it will be my duty to report fully to Her Majesty's Government, oblige me to say to your Excellency, with reference to statements made in various journals, that I have been assured by your Secretary, representing you, that the arrangement which I have made with the Imperial Government excludes all questions of satisfaction for the reprisals or negotiations in England; and I so report to Her Majesty's Government.

I avail, &c.

(Signed)

W. D. CHRISTIE.



Enclosure 32 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 8, 1863.

M. LE MARQUIS,

Your Excellency assured me yesterday that there should appear this morning, in the "Diario Oficial," a satisfactory contradiction of its improper statement of yesterday, why the correspondence was not yesterday published, as your Excellency had promised.

I have now read the explanation which has appeared today in the "Diario Oficial," and regret to say that it is very unsatisfactory.

The release of the prizes was in no way a condition for the complete publication of the correspondence which your Excellency unconditionally promised should be made yesterday; and I regret to add that even yet the publication is incomplete.

The incorrect statement which appeared yesterday in the "Diario Oficial" was communicated to other journals, and has been published by them with every appearance of official authority. I see no communication by way of contradiction or explanation in these other journals this morning.

I must request your Excellency to cause this note to be published with the correspondence which has been today omitted, and which you have already assured me shall appear to morrow.

I avail, &c.

(Signed)

W. D. CHRISTIE.

Enclosure 33 in No. 72.

*Mr. Christie to Acting Consul Hollocombe.*

Rio de Janeiro, January 8, 1863.

SIR,

The Marquis of Abrantes has sent me further assurances that the Government have taken, and will continue to take, every possible measure to prevent disturbances and allay excitement.

I shall see the Admiral in the course of the day, and I



shall beg him to place himself in communication with you ; and if there is any further serious sign of persecution of Englishmen, to consider about making some movement of the "Forte" or the "Leopard," or both, nearer the town, and about placing some marines at the Consulate.

I have caused this indirectly to be made known last night to the Marquis of Abrantes.

You may cautiously make this known to the English community.

I am, &c.

(Signed) W. D. CHRISTIE.

Enclosure 34 in No. 72.

*The Marquis of Abrantes to Mr. Christie.*

Foreign Office, Rio de Janeiro, January 8, 1863.

(Translation.)

Mr. W. D. Christie, &c., insisted in the conference on the necessity of explaining if the Imperial Government made itself responsible for the losses suffered by foreigners who might have goods on board the Brazilian vessels captured by the English ships of war.

I have now to declare to Mr. Christie that as, on the one hand, the Minister of Commerce, Agriculture, and Public Works, declared on the Exchange that the Imperial Government regarded as a debt of honour the losses which might be caused to Brazilian commerce ; and as Mr. Christie has, on the other hand, given public notification on the 1st instant, that if any captured vessel contained property belonging to persons who were not Brazilian subjects, the Admiral, on proof of the nationality of the owners, would facilitate the delivery of their property without delay ; it appears that there is no necessity for any explanation from the Imperial Government, seeing that Mr. Christie has acknowledged what he should do as regards neutral property.

I renew, &c.

(Signed) MARQUIS OF ABRANTES.



Enclosure 35 in No. 72.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 8, 1863.

M. LE MARQUIS,

I beg to acknowledge the receipt of your Excellency's note of today, by which I clearly see that the Brazilian Government accepted the responsibility for any loss which may have occurred to neutral owners of cargoes from the reprisals made by order of Her Majesty's Government.

I avail, &c.

(Signed) W. D. CHRISTIE.

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No. 73.

*Mr. Christie to Earl Russell.—(Received February 4.)*

Rio de Janeiro, January 9, 1863.

MY LORD,

Having found it necessary to delay the English packet till this afternoon, I am able to inform your Lordship that today all is quiet.

Mr. Brodie had occasion to see the Marquis of Abrantes yesterday. The Marquis voluntarily stated to him that he continued to regret the non-publication of the concluding correspondence on the 7th, and that he was convinced I was right in my opinion that, if the arrangement had been made known that day by the means of the promised publication, there would have been no return of symptoms of disturbance.

I have, &c.,

(Signed) W. D. CHRISTIE.

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No. 74.

*Mr. Christie to Earl Russell.—(Received February 4.)*

Rio de Janeiro, January 9, 1863.

MY LORD,

By detaining the steamer till this afternoon I am fortunately enabled to send your Lordship a copy and translation of a despatch from the Marquis of Abrantes to Senhor



Moreira, which has been published in this morning's paper, together with a copy of a note which I have felt it my duty to address to him.

I have, &c.

(Signed) W. D. CHRISTIE

Enclosure 1 in No. 74.

*The Marquis of Abrantes to Senhor Moreira.*

Foreign Office, Rio de Janeiro, January 8, 1863.

(Translation.)

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I call your Excellency's best attention to the enclosed numbers of the "Diario Official" of the 1st, 2nd, 7th, 8th, and 9th of this month.

They contain, in the correspondence exchanged between this Ministerial Department and the Legation of Her Britannic Majesty, the explanation of the conflict in which the Imperial Government has been unhappily engaged with that Legation, in consequence of the ultimatum presented by him on the claims concerning the wreck of the "Prince of Wales" and what occurred at Tijuca with some officers of the frigate "Forte."

In the correspondence which I refer to, the justice and dignity with which the Imperial Government resisted the exaggerated pretensions of the British Legation are so completely demonstrated that it would undoubtedly be useless to add here any considerations of that sort.

If, armed with reason and right, the Government of His Majesty the Emperor has fulfilled a duty in replying to the threats of the British Legation by a solemn protest against the indescribable injury which was threatened, and by the positive declaration that it would in no case consent to sacrifice the honour and dignity of the nation, it has, nevertheless, not hesitated to accept the pacific and honourable means which was indicated by the British Legation, of a recourse to an impartial arbitration to judge the question relative to the frigate "Forte."

It is pleasing to say that in both cases the Imperial Government has always met with the most unanimous, decided, and energetic support from the whole population, which by its conduct, alike prudent and energetic, in this conjuncture, has



given once more a valuable proof of its patriotism and good sense.

As your Excellency will see by the two last notes exchanged between this Department and the British Legation, the appeal to an arbiter has been definitively arranged as regards the subject of the officers of the "Forte" in the terms of the note of the 5th instant, and there has also been definitively arranged the payment in London, through your Legation, and under protest in the terms of my note of the 29th of December, of the sum which the British Government may demand for the wreck of the "Prince of Wales;" execution of these resolutions being, however, to be preceded by the cessation of reprisals and the release of the prizes.

Reprisals having actually ceased, and the prizes having been released, the principal condition of the arrangement is realised; and therefore your Excellency is authorised to pay, under protest, the sum which may be demanded by the British Government, as indemnity in the case of the "Prince of Wales."

As to the question in dispute about the frigate "Forte," the arbiter chosen by His Majesty the Emperor is His Majesty the King of the Belgians.

The prizes having been made and kept in the territorial waters of the Empire, it concerns our dignity to demand from the British Government a proper satisfaction for this violation of our territorial sovereignty, as we have also the right to demand from the same Government an indemnification for the losses resulting from the captures made by the English vessels of war.

Finally, the Imperial Government confides in the patriotism, zeal, and ability of your Excellency, that you will employ all means which the terms of the arrangement permit, not only to convince the British Government of the unreasonableness and injustice of the ultimatum presented in this capital by their Minister, but also to satisfy them that in accepting the same Minister's suggestion to submit the question of the "Forte" to arbitration, the Imperial Government has given one proof more of its great desire to combine the preservation of the national honour and dignity with the continuance of the existing relations between the two countries, as is demanded by the most important interests which connect them.

I renew, &c.

(Signed)

MARQUIS OF ABRANTES.



Enclosure 2 in No. 74.

*Mr. Christie to the Marquis of Abrantes.*

Rio de Janeiro, January 9, 1863.

M. LE MARQUIS,

I have read in this morning's "Diario Official" and other journals, your despatch to the Brazilian Minister in London, in which you say that the dignity of Brazil requires you to demand from Her Majesty's Government proper satisfaction for the violation of territorial sovereignty by the reprisals which have been made, and that you have also the right to claim indemnification of all losses caused by the reprisals.

No such reservation was made in the note which your Excellency addressed to me on the 5th instant, and in consequence of which, after several conferences with your Secretary, I agreed to stop reprisals and release prizes.

Your Excellency, with the knowledge of your colleagues, sent your Secretary to me to represent you, and the Imperial Government are bound by his proceedings. For myself, I have had great pleasure in treating with M. Calogeras, and I truly congratulate your Excellency and his adopted country on the possession of so able, zealous, and honourable a public servant.

M. Calogeras has since told me, with reference to observations in some of the journals which, but for an unhappy circumstance known to your Excellency, would be totally unworthy of attention,—that all questions of satisfaction and compensation for the reprisals are precluded by the arrangement made with me.

I wrote yesterday to your Excellency that all such questions were precluded, and your Excellency has not contradicted me before the time for the departure of the packet.

By detaining the steamer I have fortunately been able to forward to Earl Russell a copy of your despatch to Senhor Moreira, and a copy of this note.

Common justice will suggest to your Excellency the propriety of completing your publication of the correspondence by publishing this note.

I avail, &c.,  
(Signed) W. D. CHRISTIE.

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No. 75.

*The Secretary to the Admiralty to Mr Hammond.—(Received February 5.)*

Admiralty, February 4, 1863.

SIR,

I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Her Majesty's Secretary of State for Foreign Affairs, a copy of a letter from Rear-Admiral Warren, dated the 8th January, with copies of two of its inclosures, relating to the measures taken for reprisals at Rio de Janeiro, in consequence of the Brazilian Government failing to give the satisfaction required for the outrages committed on certain officers of Her Majesty's ship "Forte," and for the plunder of the wreck of the "Prince of Wales" merchant-vessel; also reporting that the Brazilian Government had subsequently made propositions likely to lead to the adjustment of the questions.

I am, &c.,

(Signed) W. G. ROMAINE.

Enclosure 1 in No. 75.

*Rear-Admiral Warren to the Secretary to the Admiralty.*

"Forte," Rio de Janeiro, January 8, 1863.

(Extract.)

I have the honour to acquaint you, for the information of the Lords Commissioners of the Admiralty, that on the 30th of December Her Majesty's Minister acquainted me by letter that he had failed in obtaining from the Brazilian Government the satisfaction required by Her Majesty's Government for the plunder of the "Prince of Wales" wrecked on the coast of Albardao in June, 1861, and also for the insulting treatment of three officers of Her Majesty's ship "Forte," and calling upon me to assist him by carrying out the instructions received on that head from Earl Russell in the event of non-compliance, viz., to make reprisals.

2. I consequently sent out the "Stromboli" on the afternoon of the 30th, and the "Curlew" on the following morning with orders to seize Brazilian ships, a copy of which I enclose; they detained five vessels, as per accompanying list, amounting in value to about £13,000, and sent



them into Palmas Bay, where they were left under the charge of Commander Forbes of the "Curlew."

3. I considered this the most advisable way of making these reprisals, so as to avoid any collision, which my instructions pointed out Her Majesty's Government were most anxious should be prevented, if possible; and I am happy to inform their Lordships I have succeeded, notwithstanding the great excitement existing in the town.

4. On the 5th instant Her Majesty's Minister informed me by letter that the Brazilian Government had made a proposition, which he could accept as likely to lead to an arrangement of the questions, and which he accordingly accepted conditionally on the approval of Her Majesty's Government. I consequently despatched a ship at once to release the detained vessels, and fearing disturbances at other ports, when intelligence arrived there of the strong measures we had been compelled to take, I despatched the "Satellite" to Bahia, "Stromboli" to Pernambuco, and "Dottrel" to Rio Grande do Sul.

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Enclosure 2 in No. 75.

*Orders addressed to Commander Henry.*

By Richard Laird Warren, Esquire, Rear-Admiral of the White Squadron of Her Majesty's fleet, and Commander-in-Chief of Her Majesty's ships and vessels employed on the South-East Coast of America Station.

Her Majesty's Government having for some time been endeavouring, through the British Minister at Rio de Janeiro, to obtain from the Brazilian Government reparation for the plunder of the wreck of the "Prince of Wales," of Glasgow, on the coast of Albardao, as also for the outrage committed by the Brazilian police on officers of Her Majesty's ship "Forte," the negotiations on these questions have at length been brought to a close by a positive refusal of His Imperial Majesty's Government to grant any redress.

Under these circumstances, Her Majesty's Government have determined to resort to reprisals on Brazilian property. And in pursuance of such decision you are hereby required and directed to proceed to sea in Her Majesty's steam-ship under your command, and taking the "Curlew" under your



orders you will seize and detain such Brazilian ships as may be considered necessary, and take them to Palmas Bay.

In the execution of this duty you will take care to ascertain that the ships seized are the property of Brazilian subjects, and you are to avoid as much as possible using force in carrying out this object.

All passengers you may find in such ships are to be treated with every consideration, and are to be allowed to retain every article of personal property, the ships and their freight only being detained, with the masters and such number of the crew as may be necessary to keep them clean and to look after the cargo. All injury or damage to the hull or sails of the ships detained must be most carefully avoided, as in the event of the Brazilian Government granting the demands in question, the ships and property of Brazilian subjects must be returned to them uninjured.

Given, &c., on board the "Forte," at Rio de Janeiro,  
30th December, 1862.

(Signed) RICHARD L. WARREN.

To Commander Henry,

Her Majesty's steam-ship "Stromboli."

By command of the Commander-in-Chief.

(Signed) HUGH S. PULLEN.

### Enclosure 3 in No. 75.

List of Vessels boarded by the boats of Her Majesty's ship  
"Stromboli," Commander Arthur R. Henry, between  
December 31, 1862, at 7.45 P.M., and January 4, 1863.

Name of Vessels.	Masters.	Detained.		Flag.	Value of Ships, &c.
		When.	Where.		
Trinta e uma de Outubro	Joaquim de Santos	Dec. 31, 1862, 7.45 P.M.	N.E. extrem. of E. Maricas Island	Braziln.	£ 700
Chaves I. . . . .	Ramao Quinteros	January 1, 1863, 9.10 A.M.	Cape Frio, N.E. by E.	Ditto	2,400
Anrea . . . . .	Jose F de Paula Bizardon	January 1, 1863, 6.45 P.M.	Cape Frio . . . .	Ditto	890
Senhora de Carmo	Henrique F. Pedrozo	January 2, 1863, 7 P.M.	Round Island, N. 74° E.	Ditto	450
Parahyba	José Gonsalves de Freitas	January 3, 1863, A.M.	Ditto . . . . .	Ditto	8,000



## No. 76.

*Earl Russell to Mr. Christie.*

Foreign Office, February 7, 1863.

SIR,

our despatches of the 8th to 9th ultimo have been  
 ived and laid before the Queen, and I have to acquaint  
 that Her Majesty's Government approve your proceed-  
 as reported in those despatches.

Her Majesty's Government accept the terms offered by the  
 zilian Government in the matter of the wreck of the  
 ince of Wales," as well as the arbitration of the King  
 he Belgians in the case of the officers of the "Forte," if  
 Majesty will consent to act as arbitrator.

he sum to be fixed as indemnity for the "Prince of  
 es" will be based upon the most accurate estimate that  
 Majesty's Government can form.

Her Majesty's Government are glad to find that, owing to  
 instructions they had given, and the prudence shown by  
 niral Warren in executing them, there has been no colli-  
 with the Brazilian forts or navy.

I am, &amp;c.,

(Signed) RUSSELL

## No. 77.

*Mr. Hammond to the Secretary to the Admiralty.*

Foreign Office, February 7, 1863.

SIR,

With reference to your letter of the 4th instant I am  
 cted by Earl Russell to transmit to you, for the informa-  
 of the Lords Commissioners of the Admiralty, a copy of  
 despatch that has been addressed by this mail to Her  
 esty's Minister in Brazil,\* approving his proceedings in  
 matters of the "Prince of Wales" and "Forte," and  
 ing that Her Majesty's Government accept the terms of  
 settlement offered by the Brazilian Government.

am, at the same time, to request that you will suggest



to their Lordships that the manner in which Admiral Warren carried out his instructions should be approved.

I have, &c.

(Signed) E. HAMMOND.

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No. 78.

*M. Moreira to Earl Russell.*—(Received February 10.)

Imperial Legation of Brazil, London, February 9, 1863.

(Translation.)

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, has the honour to inform the Earl Russell, &c., that he has just received from his Government two notes, dated the 5th January last, which passed between the Imperial Government of Brazil and the British Legation in Rio de Janeiro, which have been, of course, also transmitted by the same Legation to the Right Honourable Earl Russell.

Those two documents show clearly what violent and deplorable events have occurred in Rio Janeiro, subsequent to the extraordinary demands made by the British Legation upon the Imperial Government, of which an account was brought by the last packet from Brazil.

In the first of these notes addressed to the British Minister by his Excellency the Marquis of Abrantes, Minister and Secretary of State for Foreign Affairs, it is stated word for word as follows :—

“ That the Imperial Government, being anxious to avoid the imputation of opposing any peaceful and honourable means of resolving the pending questions ; being anxious to contribute, without a breach of national honour and dignity, to promptly putting an end to the difficult situation in which the relations between the two Governments are placed, with serious injury to the large interests which bind the two countries ; and finally, as a proof of the full confidence which it has in the justice of its cause,—will be ready, in ratification of what is stated in the note of the 29th of December last respecting the question of the ship ‘ Prince of Wales,’ to issue proper orders to the Minister of Brazil in London, to the effect that he pay there, under protest, in the terms of the



said note the sum which the Government of Her Britannic Majesty shall require.

"And with respect to the officers of the frigate 'Forte,' accepting the intimation made by Mr. Christie in his note of the 1st instant, of an arbitration, the Imperial Government will take care to inform Mr. Christie of the selection of an arbitrator who may judge that question; it being understood that such arbitration shall have to take cognizance, not of the duty of the Imperial Government to put the laws of the country into execution, but only whether, in the mode of applying these laws to the officers of the 'Forte,' there might have been any offence to the British navy.

"Those declarations shall not take effect until the reprisals shall have ceased, and the prizes taken shall be released.

"Lastly, I must apprise Mr. Christie that if, contrary to what is to be expected, Her Britannic Majesty's Government does not acquiesce in this arrangement, the Imperial Government will maintain its original position, which is, that it will not surrender the honour and dignity of the nation, however it may deplore the evils that may result from this resolution."

The British Minister, in reply to this note, said as follows:—

"Your Excellency may be assured that the reprisals will cease from this moment, and that Admiral Warren will issue orders to release the prizes without delay.

"The Imperial Government, for reasons which, without doubt, it considers plausible, has preferred to pay, under protest, what may be demanded in the question of the "Prince of Wales," to the adoption of the suggestion which I made, to submit this question also to an arbitration."

The British Minister; said, however, in the same note, that "Her Britannic Majesty's Government will be at liberty to accept or to refuse the proposal of arbitration in the question of the "Forte."

Reprisals having in fact ceased, and the prizes being released, and thus the chief condition contained in the note of the Imperial Government having been fulfilled, the Undersigned has received orders from his Government to address the Right Honourable Lord Russell, in order to learn from his Excellency if the Government of Her Majesty the Queen is disposed to ratify the arrangement made in the



terms of the said notes of the 5th January between the Imperial Government and the British Legation, relative to the questions which this arrangement was intended to solve.

If in the affirmative the Undersigned has received instructions to declare to Her Britannic Majesty's Government that His Majesty the King of Belgium is the arbitrator chosen by His Majesty the Emperor, to decide whether, in the mode of applying the law to the officers of the "Forte," there might have been any offence to the British navy. And the Imperial Government firmly trusts that Her Majesty's Government will not hesitate to accept the choice of His Majesty the Emperor, as it has fallen upon His Majesty the King of Belgium.

Finally, as to the question of the ship "Prince of Wales," the Undersigned is authorized, by his Government declining to enter into any liquidation, and under the protests in the terms of the note of the Imperial Government to the British Legation, dated the 29th of December, to deliver to Her Britannic Majesty's Government, in a cheque upon the Bank of England, whatever sum the Government of Her Britannic Majesty may demand in this case.

In making this communication to the Right Honourable Earl Russell, the Undersigned requests his Excellency to be pleased to inform him of the resolution of Her Britannic Majesty's Government in respect to the arrangement made by the said notes of the 5th January; as also if it accepts the arbitrator proposed by His Majesty the Emperor of Brazil.

The Undersigned earnestly hopes for the solution which the importance of the affair requires, and takes, &c.

(Signed) C. MOREIRA.

No. 79.

*Earl Russell to M. Moreira.*

Foreign Office, February 12, 1863.

The Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, in reply to the note of the Envoy Extraordinary and Minister Plenipotentiary of His Majesty



the Emperor of Brazil, has the honour to inform him that Her Majesty's Government accept the arrangement agreed to by an exchange of notes between the Marquis of Abrantes and Mr. Christie; that Her Majesty's Government will fix, as soon as possible, the amount which they consider a just indemnity in the case of the "Prince of Wales;" that they agree to refer to an arbitrator the question relating to the officers of the "Forte" in the terms proposed by the Brazilian Government, namely, whether, in the mode of applying the laws of Brazil to the officers of the "Forte," there has been any offence to the British navy. And finally, Her Majesty's Government accept the King of the Belgians as arbitrator, if His Majesty will deign to consent to act as such.

Her Majesty's Government having accepted the terms agreed upon at Rio Janeiro, are unwilling to discuss the terms of the protest of the Brazilian Government.

The Brazilian Government are persuaded that they have right on their side; Her Majesty's Government have a similar persuasion in a contrary sense. But Her Majesty's Government wish rather to cultivate good relations for the future than to prolong a controversy as to the past with the Government of the Emperor of Brazil, which has in so many respects a title to the friendship of the British Government.

The Undersigned, &c.

(Signed)

RUSSELL.

No. 80.

*Mr. Christie to Earl Russell.—(Received February 21.)*

Rio de Janeiro, January 23, 1863.

(Extract.)

I have the honour to enclose a minute reply to the memorandum of the Marquis of Abrantes on the question of the officers of the "Forte." On further consideration I have not thought it necessary to furnish the Brazilian Government with a copy of this reply.



Enclosure in No. 80.

*Reply to the Brazilian Memorandum on the Question of the Officers of Her Majesty's ship "Forte."*

*Brazilian Memorandum.*

1. "Her Britannic Majesty's Legation having complained of the proceeding attributed to the Commandant and soldiers of the detachment at Tijuca towards some officers of the English frigate 'Forte,' the Imperial Government sought for information about the facts of the case, through the means of the competent authorities, in order to be enabled to form a sure judgment respecting the claim, and to resolve according to what might be just, because nobody should be condemned without proofs, and these cannot be substituted by the simple allegations of complainants."

2. "The event occurred in a retired place: it became therefore necessary to put questions to the Commandant and soldiers of this detachment, who in the exercise of their duties did the act, premising that the information given by those agents of the public force was confirmed by two persons completely foreign to the question, to wit, Messrs. Bennet and Müller."

3 "Mr. Christie wished to have copies of these inquiries, which were frankly communicated to him in original. His Excellency soon afterwards transmitted to the Government the contradiction of these in-

*Mr. Christie's Reply.*

1. The affray took place on the 17th of June. I demanded an immediate inquiry on the 23rd, stating the desire of the Admiral that the three officers should be examined without delay, as he was about to leave for Monte Video; and wished to take the three officers with him. No attention was paid to this; the Admiral was obliged to leave the three officers behind for examination; and after much trouble, reminding, and pressing, I at last succeeded in getting an investigation by the Chief of Police begun on the 2nd of July.

2. The sentry's post, which is close to the Tijuca road, is not a "retired place." Further on in the memorandum it is correctly stated that "the Tijuca road is one of the most frequented in the suburbs." Of course it was necessary to hear the officer and soldiers, as well as the complainants. There is nothing in Mr. Bennet's evidence to confirm the Brazilian statements.

3. These documents, so "frankly" communicated to me, I had demanded as of right; and they were sent to me in original, because, with a not unusual negligence, nothing had been done by the 2nd of August



*Brazilian Memorandum.*

quiries by Messieurs the Chaplain Clemenger, Lieut. Pringle, and Midshipman Hornby."

4. "Certainly Mr. Christie cannot but acknowledge that however honourable the characters of those persons may be, their allegations are not sufficient for the formation of proofs in a court of justice, although there might be no other proofs to the contrary, because they are produced by the complainants themselves.

"It would be contrary to all principles, and extremely dangerous, to condemn the accused from mere allegations of the accuser.

"If Her Britannic Majesty's Legation places its faith on what the officers of her navy said, there is no reason whatever why the Imperial Government should refuse that of its agents."

5. "There is, however, the circumstance of the depositions of the Brazilian Agents being corroborated by two completely disinterested witnesses, which upon unprejudiced minds must shed some light over this difficult question, and lead the impartial magistrate to believe it more probable that the truth is on the side that presents declarations of persons absolutely foreign to the fact inquired into."

6. "Mr. Christie complains that no answer has yet been given to his note of the 19th of August. What could the Imperial Government in truth do? There were no more witnesses to be questioned, all possible proofs

*Mr. Christie's Reply.*

towards making copies which had been promised me.

4. But a complaint of three officers in Her Majesty's navy is worthy of attention, and even of belief, if there is no trustworthy contrary evidence. There were no independent witnesses of the fray. The German Müller is the only extraneous witness of any part of what happened at the Tijuca guard-house on the first night, and the worth of his evidence can be estimated. There are the Chaplain, a Lieutenant, and a Midshipman of the British navy on one side, against a Brazilian Ensign and four Brazilian soldiers on the other; and if the former are accusers, the latter are accused.

5. That is, there is necessary equality between the three accusers and the five accused; and M. Müller's evidence alone makes it clear that the truth is entirely on the side of the accused!

6. Mr. Christie should in any case have been answered; and if the Brazilian Government were convinced that the complaint was unfounded, why did they not answer to that effect? The natural inference from their



*Brazilian Memorandum.*

had been collected, and against these what fresh matter was presented was the contestations of the complainants."

7. "The English officers expressed a desire to be confronted with the German, Müller, whose deposition they rejected. But the Chief of Police reports that, after the 2nd of July, those officers did not appear again at the Department under his charge, even voluntarily leaving off attendance at the interrogatories of Messrs. Bennet and Müller.

"That, however, would not prevent the availing of that recourse again, if therefrom some more elucidation of the question could be obtained."

8. "Having made these preliminary observations upon the generality of the process, it is proper to reply to the divers topics of Mr. Christie's note of the 19th of August last."

9. "He observes that of the four witnesses who circumstantially relate the commencement of the question, only one of them spoke from his own knowledge, because the others could only repeat what they heard from him, whose testimony they faithfully reproduced.

"It is, however, proper for Mr. Christie to consider that, besides the Commandant of the detachment, four soldiers were interrogated. It is true that the beginning of the conflict was with the sentinel, but it is also true that he immediately called out the guard, and that the other soldiers who were in the

*Mr. Christie's Reply.*

not answering was, that they could not defend the proceeding, and were unwilling to disown it.

7. From the 19th of August, when I wrote to the Marquis of Abrantes declaring the desire of the officers to be confronted with Müller, no step was taken by the Chief of Police for bringing them together. The three officers who had been examined on the 2nd of July were not asked to appear on the 4th when Bennet and Müller were examined, and had no information of the intention to examine them.

8. After all, then, it is proper to answer my note of the 19th of August, which a little before there was no use in answering!

9. What I said was that, until the others came out, being called out by the sentry, there was only one witness. That the officer appeared at that time is a question in dispute. It is said that all the testimonies agree in saying that the attack began from the British officers; but the beginning of the fray is the very point for which there is only one Brazilian ocular witness, the sentry on guard. It is also said that all agree in saying that the three officers, before their arrival at the guard-house, had annoyed the patrol, and had stopped a gentleman on horseback. Now, only four out



*Brazilian Memorandum.*

guard-house having directly come out, all of them, the Commandant and the soldiers, were present at the struggle which followed.

"All the depositions are concordant that the sentry was at his post; that the complaining officers were the aggressors; that even before reaching the detachment they had been troublesome to a patrol which they met on the road, and that in front of the quarters of the detachment they had stopped a passer-by, who was going up the hill on horseback.

"The evident result of these declarations is, that the soldiers and their respective Commandant were present at the conflict, and that their depositions refer to facts of which they were ocular witnesses.

"They are simple facts, and it is no wonder that there should be unanimity in the statements of them made by the witnesses in their generality, although showing different versions respecting secondary circumstances, as is always the case on similar occasions, as, for example, about the precise moment of the conflict, the noise made by the officers in the guard-house, and other facts of minor importance."

10. "Mr. Christie further says, 'The English officers declared that the Commandant only appeared ten minutes after their imprisonment, and that consequently his deposition is not worthy of being credited ;

*Mr. Christie's Reply.*

of the five speak of these things ; and of the four one only professes to speak from personal knowledge of the interference with the patrol, and one only professes to have seen the horseman stopped. The rest simply repeat what they had heard say. The "evident" conclusion, then, of the memorandum is not correct, that "the depositions of the officer and soldiers refer to facts of which they were ocular witnesses." The general agreement is not in the least to be wondered at, because, where a witness cannot speak of his own knowledge, he repeats what he has heard from others.

10. It is not very probable that the soldiers would contradict their officer on this point. Of course, the officer might be absent for a few minutes, with good reason ; but if it were otherwise, he would not wish his absence known



*Brazilian Memorandum.**Mr. Christie's Reply.*

because having declared that which he had not previously seen, it is to be supposed that he had declared what he had not afterwards seen ; that he was absent when the disturbance began. It is presumable that he himself would not confess a breach of his duty.'

"Not only the declarations of the Commandant, but also those of the soldiers of the detachment, which are all unanimous in stating that, upon the calling of the sentry to arms, the Commandant came out and pacified the officers until they were locked up, are contradicted by the English officers.

"Let Mr. Christie take note that there was no reason why the Commandant, if he had been absent, should not have said so ; because he might have absented himself at ten minutes' distance from the guard-house upon any other service, without any blame being imputed to him on this account as a dereliction of duty."

11. "Mr. Christie regrets that the Chief of Police, in his report to the Minister or Justice, under date of the the 5th of July, should have explained, by the imputation of inebrity, the release of the English officers, and this without any inquiry or justification ; and he adds, that that imputation is not mentioned in the Report of the Commandant of the detachment at Tijuca, to the Sub-Delegate of Engenho Velho, the only one that the Chief of Police possessed on that occasion.

11. It is unnecessary to enter into the question of this indiscreet statement of the Chief of Police, as I have admitted to the Marquis of Abrantes, that a serious imputation was not intended, and have, in fact, accepted this explanation.



*Brazilian Memorandum.**Mr. Christie's Reply.*

"This magistrate declared that he had ordered the release of the officers, finding that there was no matter for a process, because the acts of the said officers were merely the result of the state in which they then were.

"Let Mr. Christie allow me to observe to him that the Chief of Police, although he had not yet commenced a formal inquiry, was already aware that when the conflict took place the officers had just had a pleasure party, after which there is almost always a display of excitement and hilarity, which even happens to the most serious persons; principally to youths, without producing any injury to their character; and therefore it was to this animation that the Chief of Police attributed the proceedings of the officers, being without any reason to suppose that, under other circumstances, they would choose to despise the public force, and much less seriously to attack it.

"He therefore thought that there was no matter for the institution of a process, and ordered the release of the officers; the inquiry which subsequently took place was more for the purpose of verifying the proceedings of the agents of the public force than for that of establishing the culpability of the said officers."

12. "Certainly the circumstance of the officers in appertaining to Her Britannic Majesty's navy, and the intervention of their superiors and of the respec-

12. The Sub-Delegate is in fault for not having sent down his report, stating the charge of the officers, on the morning of the 18th. It was not there when



*Brazilian Memorandum.*

tive Consul, had to be taken into consideration by the said Chief of Police; and if he did not sooner order the release of the officers, that is, when solicited by Captain Saumarez, it was because he had not yet received the official Report of the Sub-Delegate, whereby he might learn the reason of the imprisonment, and that the officers were placed at his disposal.

"In his Report of the 5th of July, the Chief of Police did nothing more than reproducing the allegations contained in the inquiry."

13. "The officers deny that they were tipsy, and complain of the imputation. But what did Robert Bennet and Rodolph Muller say in their declarations on this point?"

14. "It is comprehensible that in that state the said officers should have proceeded in the manner stated by the witnesses; but it is not explained, nor is it conceivable, that the sentinel, without provocation, should have left his post, which is off the road, to attack three individuals who were quietly passing by on that road."

15. "The Tijuca road is one of the most frequented in the suburbs. The detachment has long existed there, and no representation has been made against acts of violence or ex-

*Mr. Christie's Reply.*

Captain Saumarez went to the police office after 5 p.m., and was not received till the next morning, and indeed bears date the 19th.

13. Mr. Bennet does not say that the officers were under the influence of wine.

14. The attack on the sentry is easily explained. The sentry-box is close to the road, and at a very little higher level. It is off the road, but not retired. The sentry hailed the officers, who, being strangers, did not know the expected reply, or perhaps understand the hail. On the chaplain's approaching the sentry with the words, "Que quiere?" Spanish words not understood by the latter, he (the sentry) proceeded at once, with a not unusual promptitude, to blows.

15. These acts of violence are generally not heard of.



*Brazilian Memorandum.**Mr. Christie's Reply.*

orbitance on the part of the soldiers of which it is composed ; which leads to the conclusion that it would not be with the English officers, without provocation, that the first fact should take place.

"It is conceivable that the sentry having been provoked, and a struggle having followed between the English officers and the soldiers of the detachment, it became necessary to make use of some vigour in order to force the said officers into the prison. But that, after being confined, they were treated with urbanity, they themselves acknowledge."

16. "It was certainly from a desire to know the names and qualities of these persons that the Commandant of the detachment sent for an interpreter. How is it, therefore, admissible that, the officers having given their names and qualities in writing, the Commandant had thrown it on the floor after reading it ?

"The English officers say that an Austrian served as an interpreter, and fully explained to the Commandant their quality and profession, and that they replied to all his questions.

"But not only the Commandant and the soldiers deny that such a declaration had been made, but, on the contrary, state that one of the officers having written their names, another of them seized the paper, tore it, and threw it on the ground ; also, the very Austrian to whom the officers refer, the interpreter

16. The English officers on the one side, and the Brazilian witnesses on the other, are in complete conflict as to the declaration of names and professions. It is asked in the Memorandum what motive could the Brazilian Ensign have for refusing to receive the declaration of the officers, or for denying it. Let it be asked in reply, what could have induced the officers, unless they were idiots, to withhold their names and ranks. Their object was to be released as soon as possible, and, if not released, to be well treated. What more likely to effect their object than to declare their profession ? Even had they withheld their names and rank in the evening, would they have done so the next morning, when they were to be marched down to Rio on foot as common criminals ? The Brazilian story is



*Brazilian Memorandum.*

Müller, declared that, on his explaining to the officers the reason why they were imprisoned, and asked them for their names and positions, they sharply answered him, without ever declaring one thing or another.

"It is in some degree to be comprehended that the officers, cowed on finding themselves prisoners, did not choose to reveal their rank and profession, and that they should have satisfied themselves for the time with the threat, which they themselves declare having addressed to the Commandant of the detachment, that they would soon call him to an account for his proceeding.

"On the following day, the officers being sent to the city, the Commandant in his report which accompanied them, did not mention their names, not having any reason for so doing, but rather full convenience in this declaration, if by chance he had known them."

17. "It was only after they were at the police-office that the British Vice-Consul declared them to be officers of the British navy, when they were immediately transferred from the civil prison to that of the police corps (Corpo Policial), where they made but a short stay, and were released as soon as the Sub-Delegate placed them at the disposal of the Chief of Police, stating to him the cause of their imprison-

*Mr. Christie's Reply.*

grossly improbable. It is even denied that they made known their names and ranks when they got to the Rio police office, and were thrown into a filthy prison. To believe all this, it must be believed that the three officers are either deliberate liars or idiots. If once we are called upon to conjecture motives, it may be suggested as not improbable in Brazil, that the officer and his guard disregarded the English officers' protestations, hoping to get money from them, and have afterwards denied the declarations which they did not choose to attend to. The Brazilian Ensign admits in his evidence that the officers wrote a letter to the English Consul, which he did not forward. They say they wrote to the Consul and to Captain Saumarez. This writing does not show the desire suggested in the memorandum for the officers of concealing the trouble they had got into from their authorities. On the other hand the detention of the letters by the Brazilian Ensign has a very suspicious appearance.

17. It is not true that the officers were transferred to the "Corpo Policial" immediately after the Consul's visit. Mr. Holcombe went to the office a little after 11 a.m., and the officers were not removed to the "Corpo Policial" till between 4 and 5 in the afternoon. Nor is it true that they were kept in the "Corpo Policial" only a short time; they remained there the whole night, and were only set



*Brazilian Memorandum.**Mr. Christie's Reply.*

the next day. It is said later, most incorrectly, that, "as soon as their profession was known, they were immediately released." According to the memorandum itself, the British Consul declared their profession when he went to the police office, which was in the forenoon of the 18th, and the officers were not set at liberty till near noon the day following.

18. "Mr. Christie makes the observation that the officers deny their having sticks with them, saying that Mr. Clemenger alone had an umbrella in his hand; whilst in the official despatch addressed to Mr. Christie himself on the 24th of June last, Admiral Warren says that the soldiers took from the officers their umbrellas and sticks."

18. This remark, which was originally intended to show a contradiction between the officer's statements and the Admiral's, has, by the correction of a mistake which I pointed out, become unmeaning and objectless; and the Marquis of Abrantes would have done well to omit the paragraph. As the passage originally stood, the officers were represented as denying that they had sticks. I showed the Marquis that they only denied having *used* them, and that it was only said of Mr. Clemenger, the Chaplain, that he had no stick, but simply an umbrella. All contradiction, therefore, with the Admiral's statement that the officers' sticks were taken from them is at an end.

19. "In their refutation of the Commandant's disposition, the officers said that not one of them carried a metal flask slung with a leather strap over the shoulder, but that Mr. Clemenger had one. It is exactly what the Commandant said, with the addition that the flask contained the remains of liquor, whilst the officers said that it was empty."

19. This is an unsuccessful attempt to show a contradiction. What the officers say is, that none of them carried a flask slung over the shoulder, but that Mr. Clemenger carried one in his pocket. There is no contradiction in this.



*Brazilian Memorandum*

20. "The officers further say that they did not skirmish with the Brazilian soldiers, because they do not speak Portuguese. Mr. Christie will, however, grant that it was not on this account that the officers would cease to deride them ; as well as, that notwithstanding their ignorance of the language of the country, they themselves declare having given the Commandant to understand that they would ere long call him to account for his behaviour."

21. "The officers deny everything besides that the witnesses said against them. But Mr. Christie will have the goodness to consider that the denials of interested parties cannot be admitted as proofs in a Court of Justice, or neutralize the depositions of witnesses who are impartial, besides that the allegations of the officers do not appear to be very probable."

22. "The complaint would be held reasonable if, from the dress, or any other declaration, it were known that the said officers belonged to the British navy ; but, quite on the contrary, it appears that they were dressed in plain clothes, and that they made no declaration. It finally appears that as soon as their quality was known they were immediately released, there being otherwise no matter for addressing a communication to Her Britannic Majesty's Legation on this subject."

*Mr. Christie's Reply.*

20. It must be admitted that the officers might have attempted to make fun of the Brazilian guard with their small stock of Spanish, by which they tried to convey a threat ; but the threat they probably regarded as more urgent than ridicule ; and jokes, to be effective, must be well expressed.

21. The accused Brazilians are much more interested in defending themselves than could be the accusers in complaining, and there is only one extraneous witness, Müller.

22. Persons in plain clothes are not to be assaulted and then arrested without cause ; though in plain clothes, they did not cease to be officers. It cannot be considered proved that they refused to give their names and profession ; and even admitting that these were not made known till Mr. Acting Consul Hollocombe went to the police-office in the forenoon of the 18th (and the Memorandum admits that they were then made known), it is not true that the officers were even then immediately released.



*Brazilian Memorandum.*

"The Imperial Government, from the foregoing explanation, does not doubt that Mr. Christie, impartially appreciating this frank and loyal statement, will deem it convenient to reconsider the subject of the present claim.

"December 27, 1862."

*Mr. Christie's Reply.*

They were detained nearly twenty-four hours afterwards.

(Signed)

W. D. CHRISTIE.

January 18, 1863.

No. 81.

*Earl Russell to M. Moreira.*

Foreign Office, February 24, 1863.

M. LE MINISTRE,

With reference to your note of the 9th instant, I have the honour to state to you that, upon considering the amount to be claimed on account of the "Prince of Wales," Her Majesty's Government have decided to refrain from making any claim on account of the vessel, or account of freight.

The amount of compensation for the plunder of the cargo, the loss of the effects of the crew, and on other accounts, is estimated by Her Majesty's Government at 3,200*l*.

I am, &c.,

(Signed) RUSSELL.

No. 82.

*Earl Russell to Lord Howard de Walden.*

Foreign Office, February 27, 1863.

MY LORD,

I have to acquaint your Lordship that Her Majesty's Government have with extreme regret lately found it necessary to have recourse to measures of reprisal in consequence of the refusal of the Brazilian Government to concede the satisfaction required by Her Majesty's Government in two



cases where British interests have called for their intervention.

The matters to which I allude are, first, the case of the British vessel "Prince of Wales" wrecked on the Brazilian coast, and, secondly, an outrage committed by Brazilian authorities on some officers of Her Majesty's ship "Forte."

It is unnecessary for me to enter at length into the details of these cases. Your Lordship will learn how the matter now stands from my correspondence with M. de Moreira, of which copies are herewith enclosed, and from which you will see that, while the Brazilian Government have virtually conceded the demands of Her Majesty's Government, so far as the case of the "Prince of Wales" is concerned, they have proposed that the question regarding the officers of the "Forte" should be referred to the arbitration of the King of the Belgians, for His Majesty's decision whether, in the mode of applying the laws of Brazil to the case of the officers of the "Forte," there has been any offence to the British navy.

Her Majesty's Government have acceded to the proposal thus made for referring this point for the decision of the King of the Belgians; and I have to instruct your Lordship to ascertain from M. Rogier whether His Majesty will deign to undertake this arbitration.

I am, &c.,  
(Signed) RUSSELL.

No. 83.

*M. Moreira to Earl Russell.—(Received February 27.)*

Brazilian Legation, London, February 26, 1863.

(Translation.)

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, has the honour to acknowledge the receipt of the note addressed to him this day by his Excellency Earl Russell, &c., and hastens to transmit to his Excellency a cheque for the sum of 3,200*l.* on the Bank of England, which Her Britannic Majesty's Government has fixed for the shipwreck of the "Prince of Wales."

This payment being made, it is now the imperious duty of the Undersigned to do what he already had the honour to announce in his note of the 9th instant to the Right Honour-



able Earl Russell, that is to say, to declare that His Majesty the Emperor, in making this payment to Her Britannic Majesty's Government, does not recognize in any manner the right or justice on the part of the British Government to pretend to make the Imperial Government responsible for the wreck of the ship "Prince of Wales," on the coast of Brazil, inasmuch as the Imperial Government used all the means in its power to punish the supposed malefactors, and sincerely and loyally made all possible efforts to demonstrate the invalidity of the claim which the British Legation at Rio de Janeiro put forward in this affair.

And the Imperial Government, being thus fully convinced of the right which appertains to it, declares,—

1. That it cannot and ought not to assent to the unusual principles which it is pretended to establish against it on the occasion of this shipwreck, nor can it accept the responsibility thrown upon it, against all which it loudly and categorically protests.

2. That, therefore it refuses, as it has already refused, to consent to and take part in the liquidation of the losses suffered by the owners of the shipwrecked vessel, or of any compensation for the damages which resulted from that shipwreck; and thus, likewise, the Imperial Government absolutely declines to take cognizance of the fact that the British Government abstains from making any pecuniary claim for the ship or freight, as declared in the note to which the Undersigned is now replying.

3. Lastly, that in transmitting to Her Britannic Majesty's Government the aforesaid sum of 3,200*l.* for the shipwreck of the "Prince of Wales," the Undersigned declares, in the name of his Government, that this payment thus made to the British Government is made solely in consequence of the illegal and violent proceedings committed upon Brazilian ships in the territorial waters of the Empire, and is the simple result of force, without in any way implying the admission of right or justice on the part of the British Government. Wherefore it will never be possible, by this payment, to establish a precedent against Brazil or any other maritime nation, inasmuch as the Imperial Government does not recognise the right of such act, but, on the contrary, most formally and solemnly protests against it and its consequences.

The Undersigned, in making this protest to Her Britannic



Majesty's Government, for the due effect thereof, reserves, in the mean time, the right of claiming, in the name of his Government, satisfaction for the violation of its territorial sovereignty, in consequence of five vessels belonging to Brazilians having been captured and held as prizes in the territorial waters of the Empire, by way of reprisals, by ships of war of the British navy; as also an indemnification for the damages resulting from the said capture, against all which the undersigned now protests; and he takes, &c.

(Signed) C. MOREIRA.

No. 84.

*Earl Russell to M. Moreira.*

Foreign Office, February 28, 1863.

The Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, acknowledges the receipt of a cheque on the Bank of England for the sum of 3,200*l*.

The Undersigned would have gladly confined himself to this simple acknowledgment had not Senhor Moreira, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, in transmitting the cheque, made various statements which it is the duty of the Undersigned not to leave uncontradicted.

The first of these statements is, that the said sum of 3,200*l*. is a sum "which Her Britannic Majesty's Government has fixed for the shipwreck of the 'Prince of Wales.'" The Undersigned has already informed M. Moreira that no sum is claimed for the loss of the ship "Prince of Wales," nor for the freight of the cargo. The sum is claimed for the shameful plunder of her cargo and for the negligence shown by the Brazilian authorities in the inquiries to ascertain the delinquency of the supposed malefactors. When Mr. Consul Vereker arrived on the coast on the 16th of June, eight or nine days after the shipwreck, finding that eight or ten dead bodies were said to be on shore, he requested the Municipal Judge to proceed to an inquest on the bodies, but he declined to do so. The Consul attributes this refusal to the presence of Senhor Faustino, the Inspector of the District, with an armed force which outnumbered that accompanying the Municipal Judge. Here was at once a failure of justice.



Had the eight or ten bodies been at once produced, and had those bodies been examined, it would have been ascertained whether there were any marks of violence upon them; and as they were withheld for a considerable period, until the bodies were in a state of decomposition, the cause of death could not be ascertained.

Had a Brazilian ship been wrecked on the coast of Cornwall, and dead bodies been found on the shore, the Coroner of the district would at once have had the dead bodies produced, and would have held his inquest upon them.

Had any Magistrate appeared with an armed force to prevent or control such inquest, twenty-four hours would not have elapsed before that Magistrate would have been dismissed, and a military force would have been sent to protect the judicial proceedings of the Coroner.

The Undersigned will not enter further into the case. The circumstances are well summed up in a letter of Rear-Admiral Warren to Mr. Christie, dated September 23, 1862, contained in the papers respecting this case presented to Parliament by Her Majesty's command (page 96\*).

The shipwreck took place in June 1861. At the end of the year 1862, Her Majesty's Government having been mocked for eighteen months by the evasions, subterfuges, and unfounded assertions of the Brazilian authorities, Her Majesty's naval squadron proceeded to enforce the moderate demands of Her Majesty's Government.

These proceedings have been conducted according to the rules of international law, after a long period of patience and forbearance.

The Undersigned, &c.,

(Signed)

RUSSELL

### No. 85.

*M. Moreira to Earl Russell.—(Received March 3.)*

Imperial Legation of Brazil, London, March 2, 1863.

(Translation.)

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor, has the honour to acknowledge the receipt of the note dated the 28th of February, and not received till yesterday, addressed to him by

\* See page 194.



his Excellency Earl Russell, &c., and considers it his duty to reply to his Excellency immediately as follows:—

It was agreed to by the notes exchanged between the Imperial Government and the British Legation in Rio de Janeiro, that the payment to the British Government through this Legation should be made under protest.

According to all the customs and usages observed in similar cases, when one Government protests against the acts of another, the latter is formally held to acknowledge the receipt of the protest, in order that this document may remain in the international records, for future purposes and proper effects. But the Undersigned observes that the Right Honourable Earl Russell on this occasion, in his note of the 28th of February, merely acknowledges the receipt of the sum which the Undersigned paid to him, without acknowledging at the same time the receipt of the protest which accompanied that payment.

It is therefore the duty of the Undersigned to ask Earl Russell to have the goodness to acknowledge the receipt of the said protest, when he finds it convenient, for the completion of this transaction.

In regard to the observations which Earl Russell makes in his note of the 28th of February, the Undersigned has to consider that these observations are wholly and entirely founded on or originating in declarations made, suspicions entertained, and inferences deduced by Consul Vereker, and that they have all been answered and denied, or refuted and explained, by the Imperial Government in its correspondence with the British Legation, as Earl Russell will find recapitulated in the memorandum of Senhor Marquis of Abrantes which accompanied his Excellency's note to Mr. Christie of the 29th of December, 1862 (page 121 of the Correspondence presented to Parliament\*). In that memorandum there is a clear narration and a succinct summary of the facts, removing and destroying the allegations contained in the letter of Vice-Admiral Warren, who had no personal knowledge of the facts, and who wrote merely under the impressions produced by the report of Consul Vereker.

The statements of this Consul are a series of unfounded deductions, and of unjust suspicions against the Brazilian authorities, and against the forms of the process. It is the duty of the Undersigned to say to the Right Honourable Earl Russell that the strength of these suspicions ought to be, at

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\* See page 244.



least, mitigated in the estimation of the British Government, when the latter remembers that Mr. Vereker also went so far as to conceive suspicions of the inhabitants of Rio Grande having conspired against his life, and that Mr. Christie, after having communicated personally with the Consul considered it his duty to declare to the Government of Brazil that he was convinced that Mr. Vereker laboured under an illusion, and that his apprehensions were without foundation.

It is not, then, improbable that Consul Vereker's illusions were not confined to so scandalous an imputation against a people among whom he had lived for many years with all security and hospitality; but that they likewise extended to other accusations made by him in the course of this affair.

It is certain that Consul Vereker attributes the fact that no examination was made of the bodies that were found there on the first occasion, to the superiority of the armed force which escorted the Inspector of the Quarter, to the force which had accompanied the Municipal Judge of the place where the wreck occurred; and it was owing to this impression that the Consul himself thought it better to return to Rio Grande in order to begin the trial there immediately, without its being possible notwithstanding to impute any blame to the Municipal Judge, as the said Consul confesses (page 3 of the Correspondence\*). But in opposition to this suspicious and unfounded inference, the memorandum of the Marquis of Abrantes (page 125 of the Correspondence†) shows clearly that the force at the disposal of the Inspector on this occasion for the police of the place of the shipwreck, was not superior to the number of persons and force which accompanied the Municipal Judge.

The inference, therefore, of Consul Vereker cannot be drawn from the alleged apprehension of superior force, because that fact is supported only by this declaration of his, which is incorrect. And so unfounded was that apprehension of superior force, that the Municipal Judge, in accordance with the Consul, proceeded to make a search of some suspected houses, in doing which the Consul himself was not afraid of accompanying the Inspector of the Quarter, to search, with him and some soldiers, another neighbouring district, as he himself states.

Consequently there was not, at the very first, that want of justice which the Right Honourable Earl Russell supposes.

His Excellency suggests what would have occurred if a

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\* See page 6. † See page 252.



Brazilian ship had been wrecked on the coast of Cornwall. No doubt the English laws would have been carried out in such case ; but in the case of the " Prince of Wales " the laws of Brazil were equally carried out, with as much vigour and promptitude as the locality and the circumstances permitted. Examinations were made on as many bodies as it was possible to discover, and the verdict was, suffocation by drowning. Five inquests were held successively by different authorities. Consul Vereker might have been present at all these investigations ; at some of them he was not present, and he did not appear at the most important of them, although formally invited to do so. A functionary was dismissed by the Imperial Government ; eleven persons were tried and sentenced ; and the trial was going on in accordance with the law, when the British Minister had recourse to the violence which is now known to all.

Consequently, the Undersigned cannot admit the justice of Earl Russell's language when he talks of the negligence of the Brazilian authorities.

And in view of these long-continued efforts to obtain the punishment of the supposed criminals, the Undersigned rejects the responsibility which the British Government, by means of force, imposes on the Government of Brazil ; and the Undersigned, consequently, can consider such responsibility solely as arising from the wreck of the " Prince of Wales."

The Undersigned, &c.

(Signed) C. MOREIRA.

No. 86.

*Earl Russell to M. Moreira.*

Foreign Office, March 4, 1863.

The Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, has had the honour to receive the protest which, in the name of his Government, M. Moreira, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, transmitted to the Undersigned on the 26th ultimo.

The Undersigned, &c.

(Signed) RUSSELL



No. 87.

*Lord Howard de Walden to Earl Russell.—(Received  
March 5.)*

Brussels, March 4, 1863.

MY LORD,

On the receipt of your Lordship's instructions conveyed in your despatch of the 27th February, I immediately went to the Foreign Office, in the hope of seeing M. Rogier. His Excellency was, however, at the Chamber, and not likely to return to the office. I, therefore, at once addressed to him a note (of which I enclose a copy) requesting him to inform me whether His Majesty the King of the Belgians would deign to undertake an arbitration between Her Majesty's Government and that of Brazil.

The Brazilian Minister had just called on me to inform me that he could not further delay taking the initiative, as no reference had been made in his instructions to any concerted action with me, and as M. Rogier, on his part, saw no object in his doing so.

I have this morning received an answer from M. Rogier, of which I enclose a copy, announcing to me that the King of the Belgians accepts the functions of arbitration which he has been solicited by Great Britain and Brazil to undertake in regard to the occurrences which have provoked the misunderstanding between the two Governments.

(Signed) I have, &c.

HOWARD DE WALDEN AND SEAFORD.

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Enclosure 1 in No. 87.

*Lord Howard de Walden to M. Rogier.*

Brussels, February 28, 1863.

M. LE MINISTRE,

Her Majesty's Government have with extreme regret lately found it necessary to have recourse to measures of reprisal in consequence of the refusal of the Brazilian Government to concede the satisfaction required by Her Majesty's Government in two cases where British interests have called for their interposition.

The matters in question are—

First, the case of the "Prince of Wales," a British vessel wrecked on the Brazilian coast; and



Secondly, an outrage committed by Brazilian authorities on some officers of Her Majesty's ship "Forte."

Your Excellency will learn how the matter stands from the copies of notes which have passed between Earl Russell and M. de Moreira, of which copies are herewith inclosed, and from which you will see that, while the Brazilian Government have virtually conceded the demands of Her Majesty's Government so far as the case of the "Prince of Wales" is concerned, they have proposed that the question regarding the officers of the "Forte" should be referred to the arbitration of the King of the Belgians, for His Majesty's decision whether, in the mode of applying the laws of Brazil to the case of the officers of the "Forte," there has been any offence to the British navy.

Her Majesty's Government have acceded to the proposal thus made for referring this point to the decision of the King of the Belgians. I have, therefore, been instructed to ascertain from your Excellency whether His Majesty will deign to undertake this arbitration.

(Signed)

I have, &c.,

HOWARD DE WALDEN AND SEAFORD.

Enclosure 2 in No. 87.

*M. Rogier to Lord Howard de Walden.*

Bruzelles, le 3 Mars, 1863.

MY LORD,

Je me suis empressé de porter à la connaissance du Roi mon auguste Souverain le contenu de la communication que votre Excellence m'a adressée sous la date du 28 Février, au sujet de l'arbitrage déferé à Sa Majesté par les Cabinets de St. James et de Rio de Janeiro.

D'après les ordres du Roi j'ai l'honneur de vous informer, my Lord, que Sa Majesté accepte la tâche que l'Angleterre et le Brésil veulent lui confier, et qu'elle cherchera à remplir les fonctions d'arbitre avec conscience et impartialité.

En m'acquittant de ce soin, je saisis, &c.

(Signé)

CH. ROGIER.



*M. Moreira to Earl Russell.*—(Received May 6.)

Imperial Legation of Brazil, London, May 5, 1863.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, in addressing the present note, in obedience to the orders of his august Sovereign, to the Right Hon. Earl Russell, Principal Secretary of State of Her Britannic Majesty for the Department of Foreign Affairs, believes it to be his duty to commence by declaring that the intention of the Imperial Government is not to reopen a question which has given rise to a profound difference of opinion between the two Governments with regard to the respective appreciation of the circumstances which preceded a recourse to reprisals, but to call the attention of the Government of Her Britannic Majesty to the manner in which those reprisals were executed, and the natural effect of the unforeseen display of naval force.

The facts on which the present reclamation are founded are notorious.

From the 31st of December to the 6th of January last the port of Rio de Janeiro and the national flag in that port were, to keep within the very terms of the report addressed on this subject to the Right Hon. Earl Russell, "virtually blockaded" by an English cruiser. While the Admiral's ship remained in the interior of the port, and, according to correspondence presented to Parliament, the entry of Marines into the capital itself was premeditated; another steam vessel went out in chase of commercial vessels belonging to Brazil and in the territorial waters of the empire.

Five vessels captured under these circumstances were confined and kept under guard by a ship of war, at a little distance from the capital, in the Bay of Palmas, thus converted into a depot of prizes.

These facts, such as they took place, are not and cannot but be considered as acts of war, contrary to the nature of reprisals made in time of peace, contrary even to the proclamations of the British agents, who contented themselves with announcing them as reprisals within the bounds of a state of peace. They constitute, in fine, a gratuitous offence, considering that according to the note of the Minister of Foreign Affairs of Brazil, under date of the 29th December, the



smallest demonstration of force beyond the bounds of the Sovereignty of the empire was sufficient to assure, under protest, to the English Government the object which it had in view to obtain.

The circumstances which accompanied the acts to which the British Government thought proper to have recourse could not fail to wound profoundly the legitimate susceptibilities of the Brazilian nation, excited by an invasion altogether unexpected of its territory, and to provoke on the part of the Government of His Majesty the Emperor a just demand for reparation for the attempt against the national sovereignty. On the other hand, the subjects of Brazil have had to suffer in their property by the execution of those acts, from the seizure of the five vessels which were taken by way of reprisal. Without having recourse to other arguments, the Undersigned need only refer to the correspondence presented to Parliament. The despatch of the Right Hon. Earl Russell, dated the 8th of November, 1862, specifies that the vessels retained shall be restored uninjured. The same declaration will be found in the instructions given for the execution of reprisals by Admiral Warren, on the 31st of December, 1862. These documents alone suffice to justify the demand for reparation, for they implicitly include the right which the injured parties have to demand that reparation.

The Undersigned knows too well the elevated idea which English statesmen entertain of the exigencies required by the national dignity and honour to doubt for a moment that the Government of Her Britannic Majesty, taking into consideration the grievances set forth above, will feel, and be disposed to acknowledge, the justice of the double reclamation which is the special object of the present note.

The Imperial Government desires the continuance of its amicable relations with the British Government, but on terms honourable for the two countries. On its side, in one of his preceding notes, the Right Hon. Earl Russell expressed on the part of the Government of Her Britannic Majesty a similar desire to cultivate the same relations. The two Governments being animated with such sentiments, the Undersigned, in the name of the Government of His Majesty the Emperor has the honour to submit to the Government of Her Britannic Majesty that which would give a satisfactory solution of the present difficulty :—

The Government of Her Britannic Majesty will express its



regret for the circumstances which accompanied the reprisals, and will declare that it had no intention to offend the dignity or to violate the territorial sovereignty of the empire. As to what damages have resulted from the seizure of the ships, they will consent to do justice to the claim made in favour of these interests by a liquidation according to the decision of an arbiter.

The Undersigned, having thus executed the orders which he has received, awaits with confidence the reply of His Excellency the Right Hon. Earl Russell. He hopes that he will have the happiness to be able to announce to the Imperial Government the favourable issue of a situation so prejudicial to the interests and the relations of the two countries.

The Undersigned, &c. (Signed), MOREIRA.

No. 89.

*Earl Russell to M. Moreira.*

Foreign Office, May 19, 1863.

The Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, has had the honour to receive the note which M. Moreira, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, addressed to him on the 5th instant.

In the beginning of that note M. Moreira, commences by declaring that it is not the intention of the Brazilian Government to reopen a question which has occasioned a serious difference of opinion between the two Governments as to their respective appreciation of the circumstances which preceded the recourse to reprisals.

At the end of this note M. Moreira expresses a desire for the continuance of friendly relations with the British Government on terms honourable to the two countries.

Such being the desire of both countries, Her Majesty's Government must decline to reopen any part of the questions which occasioned serious differences between Great Britain and Brazil, and they are clearly of opinion that it would be impossible for them without doing so to enter into any question as to the propriety or execution of the reprisals to which Her Majesty's Government deemed it necessary to have recourse.



The object of Her Majesty's Government in ordering the measures in question was simply to obtain satisfaction to which they deemed themselves entitled, and they were not actuated by any feeling unfriendly to the Emperor of Brazil nor by any designs of aggression upon his Imperial Majesty's territory. The Undersigned, therefore, suggests to M. Moreira that he should convey to his government the expression of these sentiments of the British Government towards Brazil, as a sufficient and satisfactory reply to the note which M. Moreira has been instructed to present.

The Undersigned, &c.

(Signed)

RUSSELL.

No. 90.

*M. Moreira to Earl Russell.*

Brazil, May-25.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Brazil, has the honour to acknowledge the note which the Right Hon. Earl Russell, Principal Secretary of State for Foreign Affairs of Her Majesty the Queen of Great Britain and Ireland, addressed to him on the 10th instant; and he is compelled at once to declare that the note of His Excellency does not contain the reparation which the Imperial Government believes it has the right to expect from the British Government; that it cannot be accepted as a sufficient and satisfactory answer to the demands of the note of the 8th instant; and that the peremptory refusal, not only to do justice to the claims therein enumerated, but even to take them into consideration, only aggravates, if that be possible, the offence committed against the Government of Brazil.

While the Undersigned, in enumerating the grievances of the Imperial Government in the note of the 5th inst., protested at the same time, as the Right Hon. Earl Russell remarks, against any intention of reopening the question which preceded the recourse to reprisals, his only object was to facilitate the solution of the difficulties, by confining his demands in well-defined limits, by recalling many plain and precise facts sufficiently obvious of themselves, and separating



his demand from everything which had been previously discussed.

It was in the same spirit of conciliation that he alluded to the desire expressed by the two governments to preserve friendly relations under conditions honourable to both. However, the Right Hon. Earl Russell only found in the declaration of this desire, in the submission of this sentiment, grounds for refusing to investigate the facts submitted to him, and to dismiss summarily the right which the Imperial Government had reserved to itself, when it found itself compelled to pay, under protest, the sum that the British Government demanded for the wreck of the barque "Prince of Wales" (note of the 26th February, 1863); and now that the Imperial Government proceeds to exercise the right thus reserved, the Government of Her Britannic Majesty refuses to enter into any discussion as to the propriety or execution of reprisals, urging the impossibility of taking such a step without reopening questions which have raised serious differences between the two governments.

The Undersigned would be wanting in his duty if he thus sacrificed the right of his Government by admitting the identity of facts which by their nature are separate questions.

The conciliatory nature of the note of the 8th instant, as regards matters anterior to the reprisals, cannot in any way justify the refusal to investigate, with a view to their reparation, the grievances which naturally resulted from the measures adopted in the matter of the said reprisals—two points utterly different.

The questions anterior to the reprisals relate to the facts of the wreck of the barque "Prince of Wales," and imprisonment of the officers of the "Forte," and to the view of the circumstances of the two cases, which has caused the difference between the two governments and given rise to the voluminous correspondence presented to Parliament.

The proceedings which accompanied the execution of those measures are, it is necessary to repeat, the blockade of the port of Rio de Janeiro, and of the national flag in that port, from the 31st of December, 1862, to the 6th of January, 1863; the menacing attitude of the Admiral's ship in the port; the meditated disembarcation of marines in the capital itself; the cruising in the territorial waters of the empire; the seizure of five merchant vessels, kept under guard by an



English ship, and quite close to the capital, in the Bay of Las Palmas, converted thus into a prize depot. It is this series of acts of war perpetrated in a time of profound peace—acts not less offensive than uncalled for ; it is these alleged “pacific” references which closed all discussion between the two governments, which established the right of the Imperial Government to the reparation demanded in the note of the 8th instant, a right which nothing can impair, whatever may have been the causes which urged the British Government to have recourse to violence.

In refusing to render justice to the claims of the Imperial Government, the Right Honourable Earl Russell repudiates, it is true, in the name of the British Government, any intention of insulting the Emperor of Brazil, and any idea of territorial aggression at the moment the order for reprisals was given. But such a disposition of the British Government at that time assuredly imposes upon it now the obligation of doing justice to the just complaints of the Imperial Government, when it knows that the manner in which those orders were executed constitutes a grave offence against the national dignity and the territorial sovereignty of the empire. This, it appears, the Right Honourable Earl Russell will not admit.

The Imperial Government prefers no complaint as to the intentions of the British Government at the time it prepared the despatches ordering the reprisals ; it desires to obtain redress for acts which the note of the 18th proves to have been at variance with the sentiments and views of the British Government.

The Undersigned admits that the orders of the British Government, as his Excellency declares, did not amount to a violation of Brazilian territory or a blow to the national honour ; but it is incontestable, and the Right Hon. Earl Russell does not deny it, that both were accomplished by the execution of the orders.

\* A formal representation on the part of the Imperial Government conveyed to the knowledge of the British Government the true character of those acts executed in flagrant contravention of its instruction, and yet the Undersigned cannot discover in the note from the Right Hon. Earl Russell the least expression of regret, the least disposition to give satisfaction for an insult to which the Imperial Government will not and ought not to submit.



Moreover, in remarking the disposition expressed by the Right Hon. Earl Russell in his note of the 18th inst., the Undersigned is compelled to declare that it leaves entirely undiminished an insult of which it seems to underrate the gravity. He cannot, therefore, adopt the suggestion of his Excellency to communicate the said note to the Imperial Government.

The Imperial Government had at first hoped that the British Government, on receiving ample compensation, would show itself disposed to do justice by abstaining from ratifying the extravagant proceedings of its Legation at Rio de Janeiro. Its hope has been disappointed; but it did not expect the refusal of the reparation it had a right to demand for acts of unprovoked violence against a friendly nation,—acts which the British Government would not have tolerated at any cost from any power in the world. Superiority of force does not constitute a privilege above right and justice.

With the note of the Right Hon. the Earl Russell before him the Undersigned must consider as a *fait accompli* the personal refusal of the British Government to do justice to the demands urged conformably to the instructions of his Government, which he had the honour to bring to the knowledge of the Right Hon. Earl Russell at the conference in which he handed him the note of the 9th instant.

In the position in which that refusal has placed him, it only remains to declare, in obedience to the orders of His Majesty the Emperor, to the Right Honourable Earl Russell, that the Imperial Government, unable to submit to the undressed insult, yields to the necessity of breaking off its relations with the Government of Her Britannic Majesty. He has the honour of informing his Excellency that his official functions cease from the present moment, and begs him to be good enough to make out the necessary passports for himself, for his family, and the staff of his Legation.

The Undersigned, &c.,

(Signed) C. MOREIRA.

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## No. 91.

*Earl Russell to M. Moreira.*

Foreign Office, May 23, 1863.

The Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, has the honour to acknowledge the note of the Commander Moreira, Envoy Extraordinary and Minister Plenipotentiary from his Majesty the Emperor of Brazil of the 25th instant.

The Undersigned regrets to find that the Minister of his Imperial Majesty is not satisfied with the explanation which the Undersigned has already offered.

The Undersigned must repeat that both in the original orders for reprisals, and in the execution of those orders, nothing else was in view but to obtain reparation which friendly representations had failed to obtain for acts which, in the opinion of Her Majesty's Government, made reparation necessary, and that those orders were not dictated by any desire to offend the dignity or to make any aggression on the territories of the Emperor of Brazil. That which justified the orders of Her Majesty's Government justified also, in their opinion, the measures taken in execution of those orders.

As, however, the Minister of the Emperor of Brazil appears to have positive instructions to ask for his passports, the Undersigned, in complying with that request, can only regret this needless interruption of diplomatic relations.

The Undersigned, &c.,

(Signed)

RUSSELL



















