An abstract of the case of the Brigantine "Constante" under Portuguese Colours, Antonio da Costa Jardim, Master.

This vessel was of about ninety five tons burthen, had three guns, nine pounders, and a crew of twenty one men. Her owners were Caetano Raimundo de Navaes of Princes' Island, and Domingo Peres dos Santos Chaves of Bahia. She had no Royal Passport, but she had a printed copy of the Convention of the 28th of July 1817. The Brigantine was captured by boats from H. M. Ship Tartar, Commodore Sir George Collier, and from H. M. Brig Thistle, Lieutenant Hogan, on the 9th April 1824 in Old Calabar River Lat. 4 deg. 32 min. North; Long. 8 deg. 34 min. East.

The Master asserted that the Constante was equipped at Bahia in the Brazils for a slave trading voyage to Cabinda situated to the South of the Line; that, with a view of prosecuting this voyage, the vessel touched at Princes' Island; that she was there cleared out for Cabinda to which part of the Coast he subsequently went in her, and purchased

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E. Livingston & E. Fitzhugh Lee
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Secondary abstract of the case of the Brigantine "Constante"

two hundred and nineteen slaves which were put on board of the Constante; that after some time the vessel being in want of provisions, he took her into Old Calabar River, and there purchased about twenty six slaves and shipped them on board of his vessel.

This assertion of the Master that the Constante sailed originally from Bahia and that she took in part of her slaves at Cabinda passes uncontradicted, as the Court could not obtain from two other witnesses who were examined (they were black Portuguese sailors and the only part of the Portuguese crew left on board) any decisive evidence on this point. One male and three female slaves, taken on board at Ephraim's town in Old Calabar River, declare that a considerable number of other slaves as well as themselves were shipped at that place. This concurrence was sufficient to satisfy Mr. Allavella who had before made some difficulty on account of the absence of the testimony of "two or three at the least of the principal persons on board of the Captured Ship, as well as that of the master according" to the tenor of the III. article of the Regulations annexed to the Convention; these persons were absent in consequence

consequence of being on board H.M. Ship Tartar as being dangerous characters and likely to excite a revolt.

The Commissioners being, therefore, unanimous in the opinion that the Constante was engaged in an illegal traffic in slaves to the North of the Line, adjudged her in consequence to be condemned as prize and her slaves, wherever taken on board, to be emancipated and to be delivered over to the Government of the Colony, to be employed as servants or free labourers.

About two hundred and forty five slaves were said to have been on board of the Constante at the time of capture. Owing to the small size of the vessel, the captor, Sir George Collier, deemed it proper to remove part of the slaves into H.M. Ship Tartar. Eighty of the slaves were left on board of the Brigantine; during the passage to Sierra Leone, eleven of this number died.

Of the negroes removed from the Constante into the Tartar, thirty were put on board of H.M. Brig Thistle; twenty two of this number reached Sierra Leone, eight died on the passage.

His Majesty's Ship Tartar arrived

yesterday with the remainder of the Constantes slaves, fifty six in number – eight died on the passage to Sierra Leone.

Sierra Leone, June 6th 1824

E. Gregory
Edward Fitzgerald

147 living
27 dead
174