

The Contraband Slave Trade to Brazil and the Dynamics of US Participation, 1831–1856

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Abstract. This article explores the US contribution to the illegal transatlantic slave trade to Brazil and the tensions generated by this hemispheric connection in the mid-nineteenth century. It combines qualitative and quantitative approaches, based on diplomatic records and *Voyages: The Trans-Atlantic Slave Trade Database*, in order to assess the size and variety of forms of US participation in the traffic to Brazil. More generally, the article examines the tensions caused by the rise of abolitionism and the limits to the enforcement of anti-slave trade legislation in the free trade international environment that emerged after the Napoleonic Wars. By framing the attitudes of the US government within a broader Atlantic context, this work shows why certain forms of US participation in the contraband slave trade (such as providing US-built ships) became more predominant than others (such as directly financing and organising slave voyages) by the mid-nineteenth century.

Keywords: transatlantic slave trade, Brazilian empire, Brazil-US relations, free trade

In his classic 1896 study on US participation in the transatlantic slave trade, W. E. B. Du Bois stressed the continuous presence of US citizens in the business after formal abolition of the trade to the country. Noticing the constant references to the presence of North American vessels in the Brazilian and Cuban traffic in the mid-nineteenth century, the sociologist concluded that ‘the American slave trade finally came to be carried on principally by

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United States capital, in United States ships, officered by United States citizens, and under the United States flag'.¹ Other historians have also observed the persistence of US participation in the slave trade and, like Du Bois, generally interpreted the anti-slave trade laws passed in the United States during the first two decades of the nineteenth century as dead letters.² This negligence of US authorities has in turn generally been seen as a direct product of a federal government dominated by slaveholding interests. Two main problems, however, emerge from this perspective. First, while Du Bois was correct to point out the presence of US vessels, flag, captains, and seamen in the traffic after 1820, his description of the pervasive presence of US capital, when considered in terms of the direct financing of slave voyages, is not supported by the existing evidence. It was precisely in this area that the acts of 1807 (prohibiting the importation of slaves to the United States) and 1820 (making participation in the slave trade a crime of piracy) had been most effective, practically dismantling the US slave-trading networks of the early republic that had been centred in Rhode Island.³ Second, the difficulties faced by the US government after abolition were shared by other governments such as France and Britain, which also saw many of their own merchants indirectly profiting from the slave trade to Brazil. The issue was therefore less connected to the emergence of pro-slavery sentiment in the United States than the historiography has generally assumed. The enforcement of anti-slave trade legislation found its limits in the free trade environment that increasingly marked the nineteenth century,

¹ William E. B. Du Bois, *The Suppression of the African Slave-trade to the United States of America, 1638–1870* (New York, London: Longmans, Green and Co., 1896), p. 164.

² Warren S. Howard, *American Slavers and the Federal Law, 1837–1862* (Berkeley, CA: University of California Press, 1963); Robert Edgar Conrad, *World of Sorrow: The African Slave Trade to Brazil* (Baton Rouge, LA: Louisiana State University Press, 1986); Gerald Horne, *The Deepest South: The United States, Brazil, and the African Slave Trade* (New York: New York University Press, 2007); Dale Torston Graden, 'O envolvimento dos Estados Unidos no comércio transatlântico de escravos para o Brasil, 1840–1858', *Afro-Ásia*, 39 (2007), pp. 9–35.

³ The exception to this pattern was the few voyages organised by American southerners in the late 1850s. See Don Edward Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government's Relations to Slavery* (Oxford: Oxford University Press, 2001). On the impact of legislation see Paul Finkelman. 'Regulating the African Slave Trade', *Civil War History*, 54: 4 (2008), pp. 379–405. Ignoring this specific effect of US abolition of the slave trade has led some historians to overestimate the role of US citizens in the Brazilian slave trade. Michelle McDonald and Steven Topik recently argued, for example, that 'North American merchantmen carried some of the greatest annual slave importations Brazil had known – until the Atlantic slave trade was terminated by the British navy in 1850': Michelle Craig McDonald and Steven Topik, 'Americanizing Coffee: The Refashioning of a Consumer Culture', in Alexander Nützenadel and Frank Trentmann (eds.), *Food and Globalization: Consumption, Markets and Politics in the Modern World* (Oxford and New York: Berg, 2008), p. 120. Gerald Horne takes a step further and states that 'U.S. nationals were leaders in fomenting the illicit slave trade and, as a result, permanently transformed Brazil for all time': Horne, *The Deepest South*, p. 33.

with merchants from multiple nations becoming enmeshed in the symbiotic relationship between legitimate commerce and the slave trade.⁴

Despite the increasing interest in relations between Brazil and the United States, very little is still known about the dynamics of these ties. One fundamental question, for example, has not yet been satisfactorily answered: how important was the US contribution to the Brazilian slave trade? Most studies on the topic reproduce the statement of David Tod, US minister to Brazil in 1850, that half of all Africans disembarked in the country were ‘introduced through the facilities directly and indirectly afforded by the American flag’.⁵ Following these reports, for example, Seymour Drescher concludes that in the 1840s ‘more African slaves were moved from the Old World to the New under the American flag ... than were moved from the old exporting South to the importing South within the United States’.⁶ The main problem in this perspective is that it conflates radically different forms of US participation – from the legal sale and transference of vessels by merchant houses to US captains aiding in the embarkation of slaves on the African coast. While the latter took place in clear contravention of anti-slave trade laws, many other instances of US involvement occurred in the shady area connecting legitimate commerce and the slave trade. These forms also changed over time as a result of the actions of US ministers and consuls appointed to Brazil during the 1840s, who sought to interpret and enforce the anti-slave trade legislation of the United States. This article, therefore, assesses the size and forms of US participation in the Brazilian slave trade while clarifying the dynamics of this hemispheric connection as well as the obstacles faced by the United States government in suppressing the participation of its citizens in the traffic.

The discussion developed here is also relevant for more general questions regarding the tensions between shifting moral values and specific forms of economic development. What tensions are there between, on the one hand, the desire to suppress slave trading, or indeed any activity that violates norms of human rights as understood at the time, and, on the other, an international market environment characterised by growing *laissez faire* ideals? More specifically, should authorities in one jurisdiction prosecute shipbuilders, outfitters or

⁴ David Eltis, ‘The British Contribution to the Nineteenth-Century Transatlantic Slave Trade’, *Economic History Review*, 32: 2 (1979), pp. 211–27; Lawrence C. Jennings, ‘French Policy Towards Trading with African and Brazilian Slave Merchants, 1840–1853’, *Journal of African History*, 17: 4 (1976), pp. 515–28; George E. Brooks, *Yankee Traders, Old Coasters & African Middlemen: A History of American Legitimate Trade with West Africa in the Nineteenth Century* (Brookline, MA: Boston University Press, 1970).

⁵ Tod to Clayton, 8 Jan., 1850, *Senate Documents* (hereafter *SD*), 31 Cong., 2 sess., No. 6, p. 25.

⁶ Seymour Drescher, *Abolition: A History of Slavery and Antislavery* (Cambridge: Cambridge University Press, 2009), p. 316.

manufacturers if their products are ultimately used in illegal activities, particularly if those activities are tolerated in a second jurisdiction? And at what point should freedom to trade be circumscribed because it violates the rights of others? A close investigation of the organisational aspects of the contraband slave trade to Brazil reveals dilemmas that the recent literature has not always picked up and which still resonate today.

The Numbers of US Participation on the Brazilian Slave Trade

Brazilian independence in 1822 led British authorities to act quickly. Action against the slave trade had become part of British foreign policies since 1814 and in the following year an Anglo-Portuguese Treaty prohibited Portuguese vessels from purchasing slaves north of the equator. In 1817 Spain also agreed to stop trading north of the line and to abolish the traffic as a whole within three years. Thus, from the beginning, British recognition of Brazilian independence would be conditional on a commitment to abolish the slave trade. A treaty was signed and ratified between late 1826 and early 1827, with the emperor Dom Pedro I agreeing to abolish the trade within three years after ratification. It was approved without the participation of the Chamber of Deputies, which added to the dissatisfaction of sectors of Brazilian elites, increasingly suspicious of the extreme centralisation of power around the emperor. Most deputies, including abolitionists, saw the established date as synonymous with economic disaster.⁷ In March 1830 the 1826 treaty came into effect. The three-man regency that replaced the emperor (Dom Pedro abdicated the throne in 1831) agreed on the necessity for a national law regulating the slave trade. National sovereignty should be reaffirmed in response to a treaty that many saw as a foreign imposition. The law that came to be passed in 1831 was actually more radical than the terms of the treaty of 1826. Its first article declared that all slaves illegally carried to Brazil should be declared free. The subsequent articles identified and condemned a large range of participants in the trade, from crews of slave ships to planters buying illegally imported Africans. Estimates are that 46,192 Africans were disembarked in Brazil between 1831 and 1834, less than the total number of slaves disembarked in the country in the year 1830 alone.⁸

⁷ Leslie Bethell, *The Abolition of the Brazilian Slave Trade: Britain, Brazil and the Slave Trade Question, 1807–1869* (Cambridge: Cambridge University Press, 1970), pp. 27–61.

⁸ Despite the wording of the law, slaves found aboard seized ships, the *emancipados*, became, in fact, subject to a 14-year period of apprenticeship. The terms for some actually extended beyond 14 years, and for others less, but very few, if any, laboured on sugar or coffee estates and thus they cannot be considered as having the same status as slaves: see Beatriz Gallotti Mamigonian, 'To Be Liberated African in Brazil: Labour and Citizenship in the Nineteenth Century', unpubl. PhD dissertation, University of Waterloo, Canada, 2002.

Despite the initial impact of the law in the early 1830s, the first signs of change came in 1834, when the municipal chamber of Bananal, in the state of São Paulo, sent a representation to the parliament asking for the revocation of the 1831 law. The following year Bernardo Pereira de Vasconcelos also suggested that the law should be revoked. Vasconcelos was one of the main founders of the *Regresso*, a forerunner of the Brazilian Conservative Party. The turning point came with the ascent of this group to power in 1837, which set the terms of political debates and actions for decades to come. While speeches against the law continued to be given by conservative politicians in the Parliament and published in newspapers in the following years, petitions calling for its revocation also came from the municipal chambers of the cities of Valença, Mangaratiba, Bananal, Barra Mansa, Paraíba do Sul, and Vassouras.⁹ The common element uniting all these places was coffee. As demand for the product in the international market rose, coffee plantations spread throughout the *Zona da Mata* in Minas Gerais and the *Vale do Paraíba*, an area stretching from the province of Rio de Janeiro to northern São Paulo. The immediate consequence was a dramatic increase in the demand for labour. In the three decades after 1821, as David Eltis points out, more slaves arrived on the Brazilian south-central coast than in the rest of the Americas combined. Present estimates point to the disembarkation of 579,591 slaves in the region.¹⁰ Bahia continued to produce sugar during the period of the contraband slave trade, receiving around 100,000 of all the slaves disembarked in Brazil between 1831 and 1851. But it was Rio de Janeiro, ‘the *el dorado* of the slave trader’, in the words of a British consul, that concentrated the contraband slave trade to Brazil.¹¹

The main consumer of most of the coffee produced in these plantations was the United States. By 1844 consumption of coffee in the country had expanded dramatically. In the century after 1783, per capita consumption went from one-eighteenth of a pound to nine pounds. Combined with the 15-fold growth of the population, it meant an increase of 2,400 per cent in

On the 1831 law, see the dossier organised by Beatriz Mamigonian and Keila Grinberg, ‘Para inglês ver? Revisitando a lei de 1831’, *Estudos Afro-Asiáticos* (2007), n. 1-2-3.

⁹ Tâmis Peixoto, ‘A política da escravidão no império do Brasil, 1826–1865’, unpubl. MA thesis, São Paulo: University of São Paulo, 2009, pp. 128–9. On the history of the Conservative Party, see the classic by Ilmar Rohloff de Mattos, *O tempo saquarema: a formação do estado imperial* (São Paulo: Hucitec, 2004), and Jeffrey D. Needell, *The Party of Order: The Conservatives, the State, and Slavery in the Brazilian Monarchy, 1831–1871* (Stanford, CA: Stanford University Press, 2006).

¹⁰ David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade* (New York: Oxford University Press, 1987), pp. 195–6.

¹¹ Cowper to Aberdeen, 1 Jan. 1844, *British Parliamentary Papers*, 1845, Volume L, Class B, p. 407.

the total importation of coffee. Saint Domingue, Jamaica, Cuba, and Java supplied this coffee at different moments between the late eighteenth and early nineteenth centuries, but by the 1830s Brazil had surpassed all of them as the main coffee producer in the world. One of the consequences was the radical transformation of the Vale do Paraíba, which, from a peripheral region in the early 1800s, became the centre of the Brazilian slave economy. More coffee consumption in the United States, therefore, meant larger numbers of slaves illegally carried from Africa to Brazilian coffee plantations. US distributors and consumers on the other hand rarely remembered the coercive origins of their coffee, with the product becoming, in the words of two historians, ‘geographically sanitized’.¹²

Besides the consumption of slave-grown sugar and coffee, the largest US contribution to the Brazilian slave trade, or the entire nineteenth-century slave trade for that matter, was in the form of ships. US-built vessels carried over 400,000 slaves to Brazil during the entire period of the contraband slave trade, a less often mentioned result of the golden era of the North American shipbuilding industry. [Table 1](#) provides estimates for the number of voyages and slaves carried to Brazil by place of vessel construction. US-built vessels accounted for around 1,000 voyages, or 58.2 per cent of all the 1789 slave voyages estimated for the period in question. This percentage is close to those offered by David Tod and other US ministers in Brazil, who talked of at least half of all slave disembarkations in Brazil taking place with some form of US participation. Most other slave vessels during those years were built in Brazil (15.4 per cent), Portugal (7.7 per cent), and Spain (8.8 per cent).

Increasing abolitionist pressure, however, led to a growing interest in US ships for reasons other than their speed. Palmerston’s act of 1839 allowing British officers to take Portuguese slavers to British courts stimulated the replacement of the Portuguese flag by the Brazilian and US flags. The seizure of vessels flying the Brazilian flag and fitted for the slave trade also contributed to the more frequent use of the US flag in the 1840s. Starting in 1839, British commissioners in the Mixed Commissions of Rio de Janeiro and Sierra Leone put forward an interpretation of the existing treaties between Brazil and Britain that allowed for the capture of vessels equipped for the slave trade, something British commanders had been allowed to do. The British navy started to capture Brazilian vessels based on their equipment, slave irons, excessive water casks, large boilers for food preparation. In 1845 tensions between Britain and Brazil would reach a new level with the expiry of the treaty of 1826

¹² McDonald and Topik, *Americanizing Coffee*, p. 110; see also Rafael Bivar Marquese and Dale W. Tomich, ‘O Vale Do Paraíba escravista e a formação do mercado mundial do café no século XIX’, in Keila Grinberg and Ricardo Salles (eds.), *O Brasil imperial* (Rio de Janeiro: Civilização Brasileira, 2009).

Table 1. *Estimated Number of Vessels and the Slaves they Disembarked in Brazil by Country of Ship Construction, 1831–50*

	Brazil	Portugal	USA	France	Spain	Others	Total
Voyages	275	138	1,042	39	157	138	1,789
Row percentage	15.4	7.7	58.2	2.2	8.8	7.7	100
Slaves	113,569	56,784	429,939	16,224	64,897	56,784	738,198

Note: The sample for this table (240 voyages) includes vessels diverted from their intended itinerary by detention at sea and subsequent court proceedings. Intended destination is not always specified in such cases, but I have assumed it was Brazil, given that over 70 per cent of all slave voyages between 1835 and 1850 sailed to that country.

Source: www.slavevoyages.org.

and the passing of the so-called Aberdeen Act, which allowed Brazilian vessels captured by the British navy to be tried in British courts.¹³

As a consequence of this abolitionist pressure, US-built vessels retaining their original nationality became highly valued items for Portuguese and Brazilian slave traders, who used them as auxiliaries to slavers or, to a smaller extent, as slavers themselves. The latter appear in [Table 2](#), which provides estimates of all voyages and slaves disembarked in south-eastern Brazil and Bahia between 1840 and 1849 by flag. Ninety-two per cent of all slave disembarkations in Brazil during that decade took place in these two regions. Present estimates point to the landing of 373,900 enslaved Africans in south-east Brazil and Bahia, the equivalent of 72 per cent of all Africans carried to the Americas during that decade.¹⁴ Bahia slave traders rarely used the US flag on slavers. Present estimates point to only two voyages under the US flag disembarking fewer than 800 slaves during the 1840s. The Brazilian flag continued to dominate the number of slave voyages organised in the province.

The Brazilian flag was also the most frequently used during the 1840s in south-east Brazil, always responsible for at least half of all disembarkations. The participation of vessels flying the US flag in the region was much larger than in Bahia. During that decade, vessels under the US flag disembarked 38,261 enslaved Africans, approximately 12 per cent of all 316,023 captives illegally landed in the region. In the first half of the 1840s around 7 per cent of all slaves were disembarked under the US flag. By the second half of the 1840s, mounting British pressure contributed to the twofold increase in the US-flag ratio, corresponding to almost 15 per cent of all disembarkations in the south-east region. This was the most direct use of US vessels in the slave trade, which became increasingly dependent on the role of US captains and brokers over the decade, discussed in more detail below.

The numbers for the US contribution in the more indirect role of tenders and auxiliaries to slavers are more complicated to estimate. One possible strategy is to look at the voyages between Brazil and Africa that were registered by British consuls in Bahia and Rio de Janeiro. It is impossible to distinguish between slavers and auxiliaries among the customs records used in the British reports. As every British minister made clear before sending these data back to the Foreign Office, these numbers do not say much about the flow of slaves. Vessels departed to other ports such as Montevideo before going to Africa. Slavers disembarked captives in surrounding natural ports before arriving at the main ports of Rio de Janeiro. Therefore, since the

¹³ Bethell, *The Abolition of the Brazilian Slave Trade*, pp. 167–8, 242–66.

¹⁴ Besides these two regions, Pernambuco and Amazonia received, respectively, 22,858 and 3,432 enslaved Africans. A further 5,236 slaves were disembarked in unspecified parts of Brazil.

Table 2. *Estimated Number of Vessels and the Slaves they Disembarked in Rio de Janeiro and Bahia by Flag, 1840–9*

	Portugal	Brazil	USA	France	Other*	Total
South-east Brazil						
<i>1840–4</i>						
Voyages	106	139	19	2	7	274
Slaves	42,994	56,146	7,847	884	2653	110,524
Row percentage	38.9	50.8	7.1	0.8	2.4	100
<i>1845–9</i>						
Voyages	33	287	60	17	10	408
Slaves	16,851	144,877	30,414	8,425	4,932	205,499
Row percentage	8.2	70.5	14.8	4.1	2.4	100
Bahia						
<i>1840–4</i>						
Voyages	13	39	1	2	1	56
Slaves	4,226	12,659	348	695	348	18,293
Row percentage	23.1	69.2	1.9	3.8	1.9	100
<i>1845–9</i>						
Voyages	3	87	1	2	4	98
Slaves	1,345	35,128	435	870	1,780	39,559
Row percentage	3.4	88.8	1.1	2.2	5	100

*Spain, Sardinia, Denmark, and Hanse towns.

Source: www.slavevoyages.org.

customs office returns include slavers and vessels assisting them, they provide an upper-bound estimate conflating direct and indirect US-flag contributions to the Brazilian slave trade.

Table 3 shows all African-related departures and arrivals in both provinces. Here again there are more US vessels operating in south-east Brazil than in Bahia. In the latter, Sardinian vessels were much more important in the aiding and abetting of the slave trade than their North American counterparts. Of 502 voyages that departed from Bahia to Africa, 121 were Sardinian, or 24 per cent. Departures and arrivals of US vessels, on the other hand, were around 10 per cent of the total. Most of these vessels carried *cachaça*, tobacco, textiles, and other goods traded for slaves on the coast of Africa and returned to Brazil in ballast, although it seems likely that many of these also returned with slaves and then disembarked them before officially entering the ports of Rio and Bahia. US vessels were also less important than their Brazilian and French counterparts in the slave trade to Bahia.

In south-east Brazil the involvement of US vessels in slave trade operations was more significant. Fewer departures to Africa occurred under the US than the Brazilian flag but by the second half of the decade their numbers were very close. Between 1845 and 1849, 74 Brazilian vessels departed to Africa from Rio in comparison to 66 North American. US vessels accounted, however, for the largest number of arrivals from Africa. But this attests to the much more

Table 3. *Departures and Arrivals to and from Africa by Flag, 1840–9*

	Portugal	Brazil	USA	France	Sardinia	Other	Total
Rio de Janeiro							
<i>Departures</i>							
1840–4	27 (21.3)	53 (41.7)	28 (22.0)	6 (4.7)	–	13 (10.2)	127
1845–9	28 (12.9)	74 (34.1)	66 (30.4)	22 (10.1)	17 (8)	10 (4.6)	217
Total	55 (16)	127 (36.9)	94 (27.3)	28 (8.1)	17 (5)	23 (6.7)	344
<i>Arrivals</i>							
1840–4	27 (34.6)	15 (19.2)	24 (30.8)	5 (6.4)	–	7 (9.0)	78
1845–9	25 (19.1)	28 (21.4)	49 (37.4)	15 (11.5)	6 (4.6)	8 (6.1)	131
Total	52 (24.9)	43 (20.6)	73 (34.9)	20 (9.6)	6 (2.9)	15 (7.2)	209
Bahia							
<i>Departures</i>							
1840–4	18 (11.4)	75 (47.5)	15 (9.5)	23 (14.6)	18 (11.4)	9 (5.7)	158
1845–9	8 (2.3)	138 (40.1)	34 (9.9)	50 (14.5)	103 (29.9)	11 (3.2)	344
Total	26 (5.2)	213 (42.3)	49 (9.7)	73 (14.5)	121 (24.1)	20 (4.0)	502
<i>Arrivals</i>							
1840–4	10 (9.1)	40 (36.4)	15 (13.6)	18 (16.4)	10 (9.1)	17 (15.5)	110
1845–9	7 (2.4)	104 (36.2)	28 (9.8)	45 (15.7)	84 (29.3)	19 (6.6)	287
Total	17 (4.3)	144 (36.3)	43 (10.8)	63 (15.9)	94 (23.7)	36 (9.1)	397

Source: Quarterly returns in consular reports from Rio de Janeiro and Bahia in the Parliamentary Papers between 1840 and 1849.

Note: Row percentages are in parentheses.

important role of US vessels as auxiliaries, not actual slave ships. Far more Brazilian than US-flagged vessels departed to Africa without ever appearing later in the lists of arrivals at Rio de Janeiro ports. During the 1840s, 127 vessels departed to Africa under Brazilian colours while only 43 returned. On the other hand, 94 vessels left Rio de Janeiro under the US flag and 73 arrived. Most of the cases of US vessels that never returned took place in the second half of the decade.

North American Merchants and Slave-Trading Networks in Brazil

The slave-trading community operating in Rio de Janeiro went through significant transformations in the aftermath of the 1831 law. The main slave traders of the first quarter of the nineteenth century had diversified their investments and abandoned the business by the late 1820s.¹⁵ Part of their capital actually went to the coffee plantations that radically transformed the Vale do Paraíba in the following decades. When the demand for African labour in those plantations increased in the 1830s, a renewed slave-trading community emerged. While some of these slave traders can already be found in slave trade documents before 1831, the leading figures emerged after that date. Moreover, the dominance of José Bernardino de Sá and Manoel Pinto da Fonseca, the top slave traders of the contraband era, took place in a context of increasing concentration in the ownership of slave voyages, another consequence of abolitionist pressure. Between 1838 and 1844 the four leading firms controlled 60 per cent of all slave-trading operations with Bernardino de Sá at the top. In the following seven years this percentage rose to 67 per cent with Manoel Pinto da Fonseca ascending to the top of the slave-trading community, being responsible for 36 per cent of all voyages (Bernardino de Sá organised 22 per cent of the voyages of the previous period).¹⁶ The organisation of the trade also changed, with joint-stock companies replacing the individual and family operations that characterised the pre-1820 slave-trading communities around the Atlantic. Despite the increasing concentration at the top, smaller merchants were able to acquire shares in these companies. It was in this way that a few US citizens were able to participate more directly in the slave trade during this period. This participation was minimal, with the traffic to Brazil staying under the control and direction of Portuguese and naturalised Brazilian slave traders. There was no counterpart of the D'Wolf family from Rhode Island by the mid-nineteenth century.¹⁷ Most

¹⁵ Manolo Florentino, *Em costas negras: uma história do tráfico atlântico de escravos entre a África e o Rio De Janeiro, séculos XVIII e XIX* (São Paulo: Companhia das Letras, 1997).

¹⁶ Eltis, *Economic Growth*, pp. 150–1.

¹⁷ On the prominent role played by the D'Wolf family in the US slave trade in the early nineteenth century, see Jay Coughtry, *The Notorious Triangle: Rhode Island and the African Slave Trade, 1700–1807* (Philadelphia, PA: Temple University Press, 1981) and Leonardo Marques,

slave voyages to Brazil associated with the US flag in which ownership interest can be tracked down had a major Portuguese or Brazilian slave trader behind them. José Bernardino de Sá, Manoel Pinto da Fonseca and Tomás da Costa Ramos (also known as the Maneta) were the main slave traders in Rio de Janeiro employing US individuals as agents, brokers and captains in the access to the US flag. The Spanish slave trader Francisco Roviroza also appears connected to a few voyages organised with the help of the US flag.¹⁸

According to the ‘Alcoforado report’, a description of the Brazilian contraband slave trade written in 1853 by a former slave trader, the main individual behind the use of the US flag during the 1840s had been a Portuguese, Manoel Pinto da Fonseca.¹⁹ Initially working as a clerk in a merchant house at Rio de Janeiro, Fonseca started to organise slave voyages in the second half of the 1830s. The first to leave some evidence was the *Especulador* (voyage #46260 in the *Slavevoyages* database) in 1837.²⁰ It was in the 1840s, however, that Fonseca, with the help of his brothers, ascended to his prominent position within the Brazilian slave-trading community. There is evidence of at least 43 slave voyages organised by Manoel Pinto da Fonseca and his brother Joaquim: nine under the US flag, 11 under the Brazilian flag, two under the Portuguese flag, and the rest with no flag.²¹ Of all slave voyages organised under the US flag between 1831 and 1867 where evidence of ownership is available, Fonseca is the most frequent name to appear. He was followed by Manoel Basílio da Cunha Reis, one of the main Portuguese slave traders established in New York in the 1850s and responsible for the organisation of at least

‘Slave Trading in a New World: The Strategies of North American Slave Traders in the Age of Abolition’, *Journal of the Early Republic*, 32: 2 (2012), pp. 233–60.

¹⁸ In fact, by the early 1840s, a few Cuban slave traders had redirected their operations to Rio de Janeiro. Roviroza, who also appears in the documents as Ruviroza y Urzellas, was the most successful one, becoming the fourth largest slave trader in Rio by the mid-1840s: Eltis, *Economic Growth*, p. 157. For an extended discussion of Fonseca, Roviroza and other slave traders operating in Rio de Janeiro, see Roquinaldo Ferreira, *Dos sertões ao Atlântico: tráfico ilegal de escravos e comércio lícito em Angola, 1830–1860*, unpubl. MA thesis, Universidade Federal do Rio de Janeiro, 1996, chap. 6.

¹⁹ Joaquim de Paula Guedes Alcoforado, ‘História sobre o infame negócio de africanos da África oriental e ocidental, com todas as ocorrências desde 1831 a 1853’, transcribed by Roquinaldo Ferreira, *Estudos Afro-Asiáticos*, 28 (1995), pp. 219–29. In their effort to suppress the transatlantic slave trade in the 1850s, Brazilian authorities employed some of the clandestine methods previously used by the British. It was in this context that they hired Joaquim de Paula Guedes Alcoforado, a former slave trader who had been supplying the British with intelligence on the contraband slave trade to Brazil: Bethell, *The Abolition of the Brazilian Slave Trade*, pp. 351–2.

²⁰ The numbers in parentheses following the names of vessels in this article are the identification numbers of voyages in www.slavevoyages.org.

²¹ <http://slavevoyages.org/tast/database/search.faces?yearFrom=1837&yearTo=1866&anyowner=fonseca>.

seven slave voyages to Cuba under the US flag. In Brazil Fonseca seems to have been indeed the main figure behind the use of the US flag in the slave trade.²²

US merchant houses in Rio de Janeiro were the main link between US-built vessels and Manuel Pinto da Fonseca in the early 1840s. Their ties became evident in 1840 when a petition published in the *Jornal do Commercio* attesting to the integrity of Fonseca was signed by a long list of merchants from Rio de Janeiro, among them some US houses such as Maxwell, Wright & Co., Forbes, Valentino & Co. and James Birckhead (signing as Diogo Birckhead).²³ These houses had in fact been taking advantage of the growth in slave-trading activities since the late 1820s through the sales of US-built vessels. Birckhead & Co., for example, advertised the vessel *James Birckhead* as ‘very appropriate for commerce on the African coast, and can be armed with twenty pieces of artillery’.²⁴ In the advertisements for the *Seaman*, Maxwell, Wright & Co. openly stated that the vessel was good for slave trading (‘bem adoptado para o commercio de escravatura’).²⁵ When in 1843 the US consul in Rio de Janeiro, George W. Slacum, listed US vessels suspected of being directly or indirectly involved in the slave trade to Brazil, the three companies were the consignees of all 17 ships in the list.²⁶ His successor as US consul in Rio, George W. Gordon, tabulated 80 US-registered vessels sold in the city between 1840 and early 1846. Forty-four of these vessels, according to him, were used in the slave trade: five sold by James Birckhead and 17 by Maxwell, Wright & Co.²⁷ The latter, in fact an Anglo-US House, was especially important for they combined better than anyone else two commercial activities that ended up being strictly connected in the two decades of the contraband slave trade: the selling and chartering of vessels to slave traders and the exportation of coffee. By consigning and selling ships to Manuel Pinto da Fonseca and other slave traders, they facilitated the transportation of goods and slave-trading equipment in outbound trips under the US flag, contributing to the success of illegal slave-trading voyages in a context of increasing British

²² <http://slavevoyages.org/tast/database/search.faces?yearFrom=1831&yearTo=1866&natinimp=9>. For Fonseca’s network in Angola, see Phyllis M. Martin, ‘Family Strategies in Nineteenth-Century Cabinda’, *Journal of African History*, 28: 1 (1987), pp. 65–86, and Maria Cristina Cortez Wissenbach, ‘As feitorias de Urzela e o tráfico de escravos: Georg Tams, José Ribeiro Dos Santos e os negócios da África centro-ocidental na década de 1840’, *Afro-Ásia*, 43 (2011): pp. 43–90. For Mozambique, see Aurélio Rocha, ‘Contribuição para o estudo das relações entre Moçambique e o Brasil – século XIX’, *Studia*, no. 51 (1992), pp. 109–10.

²³ *Jornal do Commercio*, 15 Jan. 1840.

²⁴ Laura Jarnagin Pang, *A Confluence of Transatlantic Networks: Elites, Capitalism, and Confederate Migration to Brazil*, Atlantic Crossings (Tuscaloosa: University of Alabama Press, 2008), p. 124.

²⁵ *Jornal do Commercio*, 14 April 1828.

²⁶ Slacum to Webster, 1 July 1843, *House Documents* (hereafter *HD*), 29 Cong., 1 sess., No. 43, 18–20.

²⁷ Pang, *A Confluence of Transatlantic Networks*, p. 128.

pressure. As we have seen, disembarked slaves were often taken to the Vale do Paraíba coffee plantations or related sectors. Most of the coffee produced by these slaves was afterwards exported to the United States by the same Maxwell, Wright & Co, which, by the mid-1840s, had become the main coffee exporters in the country.²⁸

The appointment of Henry A. Wise as US minister to Brazil in 1844 led to a radical transformation in the relationship between US participants in the African trade and the US consulates in Rio de Janeiro and Bahia. A slaveholder from Virginia, Wise had been one of many voices in the Upper South that had been condemning the transatlantic slave trade since the late eighteenth century. Motivations comprised a complex mixture of morality, economic self-interest and racism. The US consul in Rio de Janeiro at the time, George William Gordon, found in Wise a resolute ally in his efforts to eliminate the US flag from the contraband slave trade. The two US agents put into practice more effective actions to stop what they considered to be an offence to the flag of their nation. One of their first targets was the US consul in Bahia, Alexander Tyler, suspected of connivance with local slave traders. When British authorities seized and brought the *Sooy* (3869) to Rio de Janeiro, Gordon immediately wrote to Tyler asking for any information about the ship, which had apparently been sold at Salvador. Tyler wrote back with details about the ship but Wise asked for further clarifications. The investigation led to an apology from the consul, who had in fact been employed as a clerk at the house of John Gilmer, a US merchant involved in the selling and chartering of vessels to slave traders. Wise would ultimately recommend the maintenance of Tyler at the Bahia consulate after he resigned from his position as a clerk for Gilmer, believing that the consul was then prepared to stop the use of the US flag by slave traders.²⁹

If Wise and Gordon were not able to arrest US citizens in the *Sooy* case, it did not take long before they sent the first individuals accused of involvement in the Brazilian slave trade to be tried in US courts. The last prosecutions related to the transatlantic slave trade in US courts had taken place in 1839–40 during the Nicholas Trist affair, when Baltimore shipbuilders were tried for aiding and abetting the slave trade. Not until 1844 would US courts see slave trade-related cases again, all of them directly connected to

²⁸ In 1846 the *Jornal do Commercio* published a report on Brazilian exports. Seven merchant houses were responsible for half of all coffee exported to the United States, with Maxwell, Wright & Co at the top of the list. The other six houses were Charles Coleman & Co, Miller Le Cocq & Co, F. Le Breton & Co, Phipps Brothers & Co, Schroeder & Co, and Astley Algorri & Co. See *Jornal do Commercio*, 26 Jan. 1846.

²⁹ Wise to Gordon, 25 Oct. 1844, *HD*, 28 Cong., 2 sess., No. 148, pp. 50–4; see also Howard, *American Slavers*, p. 296, note 6. On the anti-slave trade position of slaveholders in the Upper South see Donald L. Robinson, *Slavery in the Structure of American Politics, 1765–1820* (New York: Harcourt Brace Jovanovich, 1970), pp. 295–346.

the growth of the illegal slave trade in Brazil. Wise and Gordon contributed to the detention of a large number of captains suspected of aiding and abetting the slave trade to Brazil. During 1844 and 1845 captains Jason S. Pendleton (*Montevideo* – 3429), Cornelius E. Driscoll (*Hope*), Hiram Gray (*Agnes* – 3426), Thomas Duling (*Washington's Barge*), Joshua M. Clapp (*Panther* – 4926), Peter Flowery (*Spitfire* – 4943), Cyrus Libby (*Porpoise*), as well as the crews of the *Cacique* (3493) and the *Pons* (4925), were taken before US courts over their participation in the slave trade. Around the same time the US consul in Bahia, Alexander Tyler, under the instructions of Gordon, ordered the detention and imprisonment of Jacob Woodberry, captain of the *Albert*.³⁰ The trial of the captain and mate of the *Montevideo*, Jason S. Pendleton and Robert Baker, resulted in their conviction in 1844: one year of jail and a US\$ 1,000 fine for the captain, six months of jail and a US\$ 500 fine for the mate. Such a positive outcome in one of the earlier cases motivated Wise and Gordon to continue their actions. 'The slave trade still goes on', Wise told the secretary of state, James Buchanan, in May 1845, 'although my action here, and the message of the President to Congress communicating my despatches, which has just been received, have produced undoubtedly a great and good effect'.³¹ Wise also enthusiastically recounted the series of captures and convictions that had taken place to the British minister in Rio.³²

Wise, however, considered these captains to be the tip of the iceberg. In a letter to Secretary of State John C. Calhoun, Wise named Maxwell, Wright & Co. and James Birckhead as the main consignees of vessels sold and chartered to Brazilian slave traders. As the British navy captured more and more slave vessels, documents implicating US merchant houses became public. As tensions mounted, Maxwell, Wright & Co. wrote to Wise asking for his opinion on the sale of vessels deliverable on the African coast or the chartering of vessels to carry cargoes to those places. The US minister did not miss the chance and replied with a very long letter detailing the US anti-slave trade legislation and a summary of the most important cases related to the subject. 'Neither the charters nor the sales of vessels deliverable on the coast of Africa, are acts in themselves unlawful', Wise replied. The problem was that there was no trade between Brazil and the African coast 'but what partakes directly or indirectly of the nature, and of the profits or losses, of the slave trade. The slave trade is the main, the staple business; and all other trades, with the slightest exception, is accessory or auxiliary to it.' To Wise, although

³⁰ Howard *American Slavers*, 224–6.

³¹ Wise to Buchanan, 1 May 1849, *HD*, 30 Cong., 2 sess., No. 61, p. 150.

³² Hamilton to Palmerston, 4 Nov. 1846 (Enclosure 2), *British Parliamentary Papers*, 1847–48, Volume LXVI, Class B, p. 220; Wise to Calhoun, 18 Feb. 1845, *HD*, 30th Cong., 2nd sess., No. 61, pp. 70–86.

the act of chartering or delivering a vessel on the African coast was lawful in itself and had been considered to be so in Brazil until then, the intent of aiding and abetting the slave trade that he saw dominating these transactions made all of them illegal. In the final pages of his letter, Wise makes clear that he will continue his efforts against the involvement of US citizens in the slave trade and, ‘in all cases, if probable grounds, I will advise and aid arrests by all the means and influence I can exert, without respect to persons’.³³

Maxwell, Wright & Co. withdrew from any trade related to Africa as a consequence of these tensions. According to Wise, the company had completely abandoned the chartering and selling of vessels for the coast of Africa after his long letter of December 1844.³⁴ Their names, in fact, disappeared among the consignees of vessels departing to Africa in the second half of the 1840s, with the company concentrating their efforts on the much safer business of exporting coffee. If US houses such as Maxwell, Wright & Co. and James Birckhead had been the main consignees of the vessels chartered and sold to slave traders, the main broker intermediating the transactions between the US merchants and Manoel Pinto da Fonseca, according to Wise, had been a British subject resident in Rio de Janeiro, Carter Thomas Weetman, of the firm Hobkirk, Weetman & Co. In a letter to the British commissioner in Rio, Wise accused Weetman of acting as a broker in most recent cases of US vessels sold and chartered to Fonseca. The minister gave special attention to the case of the *Agnes*, a ship that went to Liverpool for ‘coast goods’ before going to Africa by way of Rio de Janeiro. His conclusion was that the British had a very active role in the persistence of the transatlantic slave trade to the Americas, a view that made its way into the official message from the president of the United States in 1845.³⁵

The letter generated an investigation from the Foreign Office regarding the two instances in which British subjects were accused of being implicated in the slave trade. The answer from the Liverpool merchants was that once those goods left their deposits they could not have any control over their use. Laws against the aiding and abetting of the slave trade in Britain and in the United States were built around the knowledge or intent of the accused, which were extremely difficult to prove. The situation of the British broker was more complicated, but Weetman argued that he had already consulted the British authorities regarding the legality of his business and received a positive answer from the Attorney-General. Palmerston would later confirm that he had not broken any law since his activities predated an 1843 act making it illegal for British subjects residing anywhere to be implicated in the slave trade or slavery. The British minister in Rio de Janeiro released a circular note

³³ Wise to Maxwell to Maxwell Wright, & Co, 9 Dec. 1844, *Ibid.*, pp. 74–5, 84, 88.

³⁴ Wise to Hamilton, 31 July, 1846, *SD*, 30 Cong., 1 sess., No. 28, pp. 21–2.

³⁵ Wise to Hamilton, 1 Dec. 1844, *HD*, 28 Cong., 2 sess., No. 148, pp. 55–63.

warning British subjects to respect the act of 1843, which had supposedly been ignored by Weetman. Wise wrote to Hamilton again, accusing the British broker of negotiating the charter-parties of the *Pons*, *Kentucky*, and the *Enterprise* with Manoel Pinto da Fonseca after the issue of the circular note. Unlike Aberdeen, who charged Wise with having poor evidence of the role played by British brokers, Palmerston took the accusations more seriously after he took charge of the Foreign Office in 1846. The problem in this case was that these charter-parties had been negotiated with ‘a person well known to be one of the greatest slave-traders of Rio de Janeiro, and notoriously employed almost exclusively in that illegal traffic’, making it almost impossible for the agent to prove his ignorance of the use to which those vessels would be put.³⁶ This was precisely the explanation given by Wise to Maxwell, Wright & Co. of what constituted aiding and abetting the slave trade. Weetman publicly denied the accusations in 1848, arguing that his company negotiated the last charter before the reception of the circular note in 1845.³⁷

The Go-Betweens of Man-Stealers

By 1845, Maxwell, Wright & Co. and Hobkirk, Weetman & Co. had abandoned any African-related trade. It is clear from the depositions of crews and documents found aboard the vessels seized throughout 1844 that both companies were central to the US-flag scheme developed by Manoel Pinto da Fonseca. Their withdrawal from the business, however, did not mean the disappearance of the US flag from the slave trade. On the contrary, it opened opportunities to individuals willing to operate in the grey area connecting legitimate commerce and the slave trade, favoured by the growing demand for slaves in the second half of the 1840s. A few US nationals quickly occupied this space, most of them captains and ex-captains. Unlike Maxwell Wright & Co. and other merchants of the first half of the 1840s, these individuals established closer connections to slave traders. The more active position that they occupied became clear in a number of interrogations Parks made before granting sea letters, a temporary register issued by consuls to purchasers of vessels. Most captains were using money advanced from charter-parties contracted with slave traders from Rio de Janeiro. As the consul made clear, ‘the vessels which sail under these letters are in most cases owned by Brazilians, who pay the applicant for the sea letter about five hundred milreis each vessel, for passing the examination before Mr. Tod and myself, and covering the property’. Captain David C. Bevans explained the system in detail.

³⁶ Hamilton to Palmerston, 4 Nov. 1846 (Enclosure 2), *British Parliamentary Papers*, 1847–48, Volume LXIV, Class B., pp. 202–3.

³⁷ Howden to Palmerston, 8 April 1846 (Enclosure 2), *British Parliamentary Papers*, 1849, Volume LV, Class B, p. 14.

When buying the *Brazil*, a vessel that completed at least two voyages to Africa (900221 and 900228), Bevans got the money from Jenkins & Co. and mortgaged the vessel to the company. After the time specified he had to pay back that amount or give the vessel to the company, sailing her in return for wages. The company consisted of Jenkins from New York, an Englishman named Russell and a Portuguese named Guimarães. When asked if the money borrowed from Jenkins & Co. came from the company itself or someone else, Bevans answered that it actually came from the notorious slave dealer, José Bernardino de Sá. After not getting paid the value of the vessel by Bevans, the company, probably under the instructions of Bernardino de Sá, decided to transfer its ownership to Louis Francis Desirée Krafft, a French-born naturalised American who had been involved in the African trade since the early 1840s and was closely associated with the Portuguese slave trader.³⁸

By the second half of the 1840s, US individuals were mentioned for the first time in the lists of individuals suspected of involvement in the slave trade prepared by British and Brazilian authorities. In his report of the African slave trade to Brazil during 1849, the British consul to Rio de Janeiro enclosed a list with the names of slave merchants residing in the city and their respective nationalities. Among the 38 names, only two North Americans appeared: Jenkins and Clapp.³⁹ After Brazil employed new strategies to suppress the slave trade in the 1850s, the police also put together a few lists of suspects of engaging in the contraband traffic. Of almost 400 names, the only certain North American was George Marsden.⁴⁰ There were probably other US citizens operating in the Brazilian slave trade, as US diplomatic documents indicate, but Jenkins, Clapp, and Marsden seem to have played a central role in the incorporation of US vessels and flag by slave traders in Brazil.

While Jenkins was connected to José Bernardino de Sá, Joshua M. Clapp and George Marsden often appeared associated to Manoel Pinto da Fonseca. According to the Alcoforado report, which does not provide dates, two US brokers had key roles, along with the lawyer J. M. Pereira da Silva, in the US-flag strategy put forward by Fonseca. The report does not name the brokers, only noting that one of them was in prison at the time the report was being written in 1853. This was probably George Marsden, arrested earlier that year for his involvement in the case of the *Camargo* (4154). During the 1830s, Marsden had captained the *Louisiana*, a US vessel consigned to Maxwell Wright & Co. that frequently carried coffee cargoes to

³⁸ Parks to Buchanan, 20 Aug. 1847, *HD*, 30 Cong., 2 sess., No. 61, p. 7.

³⁹ Hesketh to Palmerston, 14 March 1850 (Enclosure 3), *British Parliamentary Papers*, 1851, Volume LVI pt. II, Class B, pp. 509–10.

⁴⁰ Pessoas comprometidas nos crimes de moeda falsa e tráfico de escravos, 1836–1864, Série Justiça, IJ6, pasta 468, Arquivo Nacional do Rio de Janeiro.

New York.⁴¹ By the second half of the 1840s Marsden had abandoned his work as a captain, becoming officially associated to H. F. Whittle in a brokerage business, a partnership that lasted until 1850.⁴² Described by the British commissioner in Rio as a 'notorious slave-trader', Marsden had been 'on various occasions warned by the Ministers of the United States resident here, and on one occasion, one of them, I believe Mr. Wise, was on the point of sending him to the United States on a charge of slave-dealing'.⁴³ In 1853 the British, maybe unaware of Marsden's detention, warned the Brazilian government that the 'agents of the slave-traders are still in a state of activity'. With the help of Marsden, a vessel had been sold to the bookkeeper of Antonio Pinto and Joaquim Pinto da Fonseca, brothers of Manoel Pinto da Fonseca.⁴⁴

The second broker mentioned by Alcoforado was probably Joshua M. Clapp, who, by the second half of that decade, seems to have been Fonseca's main link to US vessels and flag. 'During my residence at this court', the US minister to Brazil, David Tod, wrote to the secretary of state in 1851, 'all interested in maintaining our laws for the suppression of the use of our flag in the infamous slave traffic, have been thwarted and annoyed more by Joshua M. Clapp and Frank Smith, (both citizens of the United States), than by all other persons put together'. Their role had been so central that 'but for their agency in the business', the minister continued, 'at least so far as this port is concerned, our flag would have been free from the foul stigma that has rested upon it'.⁴⁵ The connections between Clapp and Fonseca constantly appear in the documents. According to the British chargé d'affaires, James Hudson, the *Flora* had been fraudulently sold to Fonseca through the agency of Clapp. The vessel would soon arrive in Montevideo, he warned the British chargé d'affaires in the city, from where it would depart to the African coast probably under Brazilian colours.⁴⁶ Clapp's connection to Fonseca also appeared among the documents found on board the *Ann D. Richardson* (4952), a vessel seized by the US navy in 1848. In a letter to the captain of the ship, Clapp recommended that the captain could sell the barque on the African coast 'taking a bill of exchange,

⁴¹ See *Jornal do Commercio*, 10 Aug. 1833; 23 June 1835; 13 Jan. 1836; 25 Jan. 1836; 11 May 1836; 10 March 1837; 26 May 1838; 1 Sept. 1838; 19 Jan. 1840; 13 Feb. 1840.

⁴² *Jornal do Commercio*, 10 May 1847 and 7 July 1850.

⁴³ Southern to Malmesbury, 7 Jan. 1853, *British Parliamentary Papers*, 1852–53, Volume CIII pt. III, Class B, pp. 209–10.

⁴⁴ Southern to Souza, 22 Jan. 1853, *ibid.*, p. 250.

⁴⁵ Tod to Webster, 11 June 1851, *SD*, 32 Cong., 1 sess., No. 73, p. 4.

⁴⁶ Hudson to Chargé d'Affaires at Montevideo, 25 Dec. 1848, *British Parliamentary Papers*, 1849, Volume LV, Class B, p. 75.

drawn against Manoel Pinto da Fonseca, payable to my order, for 15,000 Spanish dollars.⁴⁷

Joshua Clapp started his career as a common sailor on a whaling voyage. Shortly after his first voyage he entered the 'merchant service' and in 1841 became the commander of a New York schooner. Clapp's first voyage to Africa was aboard the *Gannicliffe* (3427) in 1844, a vessel sold to Manoel Pinto da Fonseca on the African coast that subsequently disembarked 420 enslaved Africans in Cabo Frio, Rio de Janeiro. The following year Clapp captained another US vessel to the African coast, the *Panther*, originally consigned to Maxwell, Wright & Co., but chartered to Manoel Pinto da Fonseca by Clapp himself. The vessel was captured by the US Squadron at Cabinda before the embarkation of slaves and taken to the Circuit Court of Charleston, South Carolina, where Clapp was tried and acquitted in 1846 (despite the forfeiture of the vessel). In an 1850 list of 17 US vessels sold in Rio de Janeiro since 1844 and, according to the US consul, directly connected to the slave trade, Joshua M. Clapp appeared as the purchaser of nine. Other purchasers were also US captains, some of them with long experience in the African trade. The ownership of these vessels, like those of the other captains described before, was possible through the money advanced by local slave traders. Clapp mentions the money advanced by a Spaniard named Don Francisco, a slave trader, according to the US consul (perhaps Francisco Roviroso), and the Rio merchants Barboza and Castro for three of his vessels. These individuals advanced 15,000 to 16,000 dollars to Clapp. Similar schemes were certainly put into practice for other ships owned by Clapp; the *Frederica*, owned by Clapp and chartered to Fonseca, was probably one of them.⁴⁸

Captain Frank Smith, who had become an associate of Joshua Clapp in 1848, appeared in the list purchasing two other vessels. Their close relationship and organisational role in slave-trading voyages are detailed in a deposition to the US consul about the *Quincey* case. According to the mate of the vessel, Clapp and Smith organised various aspects of the voyage, including his hiring. In 1849 the *Quincey* disembarked 742 Africans in a plantation at Campos, Rio de Janeiro. Smith supervised the whole process of fitting and equipping the vessel for the voyage and considered going as a supercargo. Clapp and Smith 'were to have, as I understood them, a given sum per head. Smith afterward told me that he would or had made from twenty-four to thirty cents de rees [réis] (twelve to fifteen thousand dollars). Smith

⁴⁷ *New York Herald*, 30 Jan. 1849; Clapp was also part owner of the *Martha*, captured under similar circumstances: see Donald L. Canney, *Africa Squadron: The U.S. Navy and the Slave Trade, 1842–1861*, (Washington, DC: Potomac Books, 2006), chap. 9.

⁴⁸ List of vessels sold at this port [...], *HD*, 30 Cong., 2 sess., No. 6, p. 41; in the matter of the application of Louis Francois Desirée Krafft [...], *HD*, 30 Cong., 2 sess., No. 61, p. 43.

and Clapp both told me that they would allow me about five thousand dollars.’ The identity of the slave traders financing these voyages (the deponent also mentions the successful slave voyage of the *Snow*) does not appear in the source but it is unlikely that Clapp and Smith were operating autonomously. As the deponent notes, ‘the blacks brought out in the *Quincey*’ were for account of a house in Rio, but I do not know the terms upon which they were brought.’⁴⁹

Clapp and Smith had in fact been working with a few other slave traders besides Fonseca. Smith appeared as the consignee of a large number of vessels flying the US flag with forged documents that the British navy seized in 1849. According to a British agent, it was Captain Smith’s duty ‘to obtain masters, crew, flag, and papers, and he gets his per centage on all slaves landed from vessels that have worn the United States’ flag’, matching the description given by the mate of the *Quincey*. According to the lieutenant, their owner was ‘the celebrated Don Juan Minetta, a one-armed man, and esteemed the richest in the Brazils’, who owned ‘seven or eight vessels under the American flag, which he has bought at Rio, and whose papers are all forgeries’. Don Juan Minetta was probably the one-armed slave trader Tomás da Costa Ramos, whose nickname ‘Maneta’ was a reference to his disability.⁵⁰ In 1844 Ramos was a factor in Lagos sending slaves to Cuba on freight. The following year the *Izabel*, a US-built vessel owned by the slave trader was seized, indicating that he had already established himself at Bahia.⁵¹ The Portuguese slave trader was the first to employ steamers in his activities according to the Alcoforado report, something confirmed in the denunciations of the British minister in Rio, who described the activities of Ramos’ steamer, *Providencia*, operating since 1846.⁵²

Clapp, Smith and other captains purchased vessels with the money advanced by Portuguese, Brazilian and Spanish slave traders but who sold the ships to these intermediaries? There were obviously many sources for US vessels, but the traditional US merchant houses apparently continued to be a constant supplier. Clapp bought the *Whig* from James Birkhead and the *Zenobia* from Maxwell, Wright & Co.⁵³ The latter had abandoned the

⁴⁹ *The Deposition of Captain W. E. Anderson* [...]. *SD*, 32 Cong., 1 sess., No. 73, p. 7. For a longer description of the voyage see Graden, ‘O envolvimento dos Estados Unidos’, pp. 15–19.

⁵⁰ Fanshawe to the Secretary of Admiralty, 20 March 1850 (Enclosure 4), *British Parliamentary Papers*, 1851, Volume LVI pt. I, Class A, 250. The British commander probably misspelt ‘Maneta’ for ‘Minetta’. The additional ‘Don Juan’ remains a mystery.

⁵¹ Melville & Hook to Aberdeen, 12 Nov. 1844 (Enclosure 2) and Melville & Hook to Aberdeen, 28 June 1845 (Enclosure 1), *British Parliamentary Papers*, 1846, Volume L, Class A, pp. 266, 313.

⁵² Hesketh to Palmerston, 4 May 1847, *British Parliamentary Papers*, 1847, Volume LXVI, Class B, p. 262.

⁵³ Parks to Buchanan, 30 Nov. 1847, *HD*, 30 Cong., 2 sess., No. 61, p. 22.

trade with Africa but not the business of selling vessels altogether. If Wise had difficulties in bringing these merchants under US anti-slave trade laws when they were dealing directly with Fonseca in the first half of the 1840s, interdiction under these circumstances would be virtually impossible. The central role played by intermediaries such as Joshua Clapp, the ‘go-between of the man-stealers of Rio de Janeiro’, as so well defined by British consul, made the work of the US authorities both simpler and more complicated. It was easier because these individuals clearly broke the law, as the deposition of the mate of the *Quincey* made clear, facilitating the process of proving guilty knowledge in the courts. On the other hand, capturing them became much harder since, unlike traditional merchant houses, they specialised in the aiding and abetting of business, being capable of moving according to the circumstances. Moreover, these captains turned ship-owners had strong ties to the Brazilian slave-trading community, which made the task of raising enough evidence complicated as long as the slave trade to Brazil was protected by local elites.

Slave traders operating in Brazil did not immediately abandon the business after the law of 1850 abolished the slave trade to the country for a second time.⁵⁴ The year of 1851 was marked by a few successful disembarkations and a few captures by British and Brazilian authorities. The following year saw the successful completion of two slave voyages.⁵⁵ In May 1852 the British minister to Brazil, Henry Southern, wrote to the Foreign Office about indications that the US vessels, *Mary Adeline* and the *Camargo* (4154), were being prepared to engage in the slave trade. ‘Mr. Marsden, a broker in Rio, a citizen of the United States’, continued Southern, ‘is the party who is actively interested in getting up and aiding these speculations’.⁵⁶ While Joshua Clapp and Frank Smith left the country shortly after the passage of the 1850 law, George Marsden continued to operate with slave traders in Brazil. The US consul in Rio also wrote to the US secretary of state about the suspicious circumstances of both vessels.⁵⁷ In December, the *Camargo* disembarked 500 slaves at Bracuhy, south of Rio de Janeiro. Under the coordination of the minister of justice, Eusébio de Queiroz, the Brazilian police had put into practice effective tactics to suppress the slave trade. The landing of the Africans carried by the *Camargo* was successful, with many of the enslaved

⁵⁴ For a summary of the debates on the abolition of the slave trade in 1850, see Márcia Regina Berbel, Rafael de Bivar Marquese, and Tâmis Parron. *Escravidão e política: Brasil e Cuba, c. 1790–1850* (São Paulo: Editora Hucitec: FAPESP, 2010), pp. 322–45.

⁵⁵ <http://slavevoyages.org/tast/database/search.faces?yearFrom=1851&yearTo=1866&mjlsptimp=50000>.

⁵⁶ Southern to Malmesbury, 1 May 1852, *British Parliamentary Papers*, 1852–53, Volume CIII pt. III, Class B, p. 98.

⁵⁷ Schenck to Everett, 5 Feb. 1853, *British Parliamentary Papers*, 1854, Volume LXXIII, Class B, p. 638.

Africans being carried to the coffee plantations of Bananal, but the government ordered a police search inside the plantations for the Africans illegally disembarked, a difficult task in face of the great power of local planters such as Joaquim José de Souza Breves. Only 38 Africans were found and rescued. Breves was charged with illegally importing slaves but acquitted. Four members of the crew were arrested, two North Americans, a Spaniard and an Englishman. The captain, Nathaniel Gordon, hanged in New York ten years later for his subsequent participation in the slave trade to Cuba, disappeared after the destruction of the vessel.⁵⁸

On 4 January 1853 the Brazilian police arrested George Marsden in Rio de Janeiro. Four months later, still in jail, Marsden wrote to the US consulate asking for its help. After all, he explained, according to the law of 1850 the authorities had eight days to carry out the competent process against him or he would be entitled to his liberty. In the meantime, 'at Bananal, three wealthy Brazilians, proprietors of estates (fazendeiros) suspected of having an interest in this same cargo of Africans, were tried by jury ... and were then acquitted. The judge did not appeal, and they of course are at liberty, if they ever were made prisoners'.⁵⁹ Unlike those planters, Marsden claimed he had no interest in the vessel, owned, at least in part, by Captain Gordon: 'I had no control over him [captain Gordon] while at this port, much less after leaving here, and if he engaged in any unlawful act afterwards, it would be strange law that could make me responsible'. The US consul and the chargé d'affaires contacted the Brazilian secretary of state, Paulino de Souza, asking for clarifications respecting the case. The main issue was not whether Marsden had been guilty, but why he still had not had a fair trial after almost five months of imprisonment. According to Souza, the reasons for the delay in the trial were the difficulties of the authorities in finding sufficient proof of Marsden's guilt. In July, Marsden was finally released on the condition that he leave the country.⁶⁰

In his reply to the US legation, the Brazilian minister attached a copy of an 1850 contract made between Francisco Roviroso y Urgelles and George Marsden for the latter to deliver the US schooner, *Volusia*, on the coast of Africa. Marsden would also pay the expenses of the crew, with an interest in the business of seven contos and 500 mil reis (7,500\$000), the same amount Roviroso was to receive after the voyage was completed. The profit should be divided according to the proportion invested by each one.⁶¹ To the US

⁵⁸ Bethell, *The Abolition of the Brazilian Slave Trade*, pp. 370–1. Roquinaldo Ferreira discusses Marsden and the Bracuhi case in more detail based on his vast research at the Brazilian National Archives: see Ferreira, *Dos sertões ao Atlântico*, pp. 137–47.

⁵⁹ Coxé to Marcy, 21 July 1853 (A.65), *SD*, 88, 33 Cong., 2 sess., No. 88, p. 8.

⁶⁰ *Ibid.*, pp. 9 (quotation), 14.

⁶¹ *Ibid.*, p. 15. The original contract can be found at the Arquivo Nacional, Rio de Janeiro, Série Justiça, Maço IJ6 Folder 522.

chargé d'affaires, Ferdinand Coxe, Marsden may have engaged in the slave trade in the past, as the contract of 1850 showed, and Brazil had the right to deport the individual based on the evidence, but what remained to be explained was his imprisonment for almost five months without a trial. In one of his last exchanges on the subject with Paulino de Souza, Coxe argued that the fact that Marsden was the consignee of the *Camargo* did not automatically show his culpability. Such a circumstance 'might have happened to any of the most respectable commercial houses in Brazil; which could not be held responsible for acts of illegality committed by vessels, of which they had accidentally been the consignees many months before the commission of such acts'.⁶² Had Coxe been the US minister in the mid-1840s, the transactions involving Maxwell, Wright & Co. and the local slave-trading community would maybe have continued undisturbed.

After being deported from Brazil, George Marsden became involved with Portuguese slave traders in New York, organising the voyage of the *Grey Eagle* (4190) in 1854. Captured by the British, the vessel was taken before the circuit court of Philadelphia, with Marsden leaving the country before a possible conviction could take place. Despite having Cuba as the main destination for their voyages, the Portuguese New Yorkers still hoped for a reopening of the slave trade to Brazil. In 1856, the frustrated attempt to disembark the slaves carried aboard a US vessel, *Mary E. Smith*, attested to the effectiveness of suppression in Brazil since the law of 1850. The captain, Vicente Daniel Cranatich, was arrested by the Brazilian police and Manoel Basílio Cunha Reis, part owner of the voyage according to documents found on board the ship, was indicted but released on bail at Boston. It became clear to Portuguese and Spanish slave traders, along with their networks involving US citizens, that they should concentrate their efforts on Cuba. The slave trade to Brazil had finally been closed.⁶³

Conclusion

How would the transatlantic slave trade to Brazil have changed had the United States and Britain agreed on a treaty establishing the mutual right of search in 1842 instead of 1862?⁶⁴ Joint actions from the US and British governments could certainly have taken the US flag out of the business along with US shipping agents and captains, but this was really a minor part of the slave trade to Brazil, despite the recent interest of historians in the connections between

⁶² Coxe to Marcy, 15 Aug. 1853 (D70), *SD*, 88, 33 Cong., 2 sess., No. 88, p. 29. Ferreira, *Dos sertões ao Atlântico*, p. 139.

⁶³ Howard, *American Slavers*, p. 178.

⁶⁴ On the Lyons-Seward treaty of 1862, see Matthew Mason, 'Keeping up Appearances: The International Politics of Slave Trade Abolition in the Nineteenth-Century Atlantic World', *William and Mary Quarterly*, 66: 4 (2009), p. 830.

Brazil and the United States. US citizens had rarely had any interest in slave voyages to Brazil and the business remained under the complete control of Portuguese and Brazilian slave traders. This was a direct consequence of the slave trade acts passed in the United States during the first two decades of the nineteenth century, which dismantled what had been a US branch of the transatlantic slave trade. There is a tendency in the historiography of US participation in the traffic to treat the US slave trade laws as dead letters, an argument first made by W. E. B. Du Bois that still resonates among many historians today. The contrast between the forms of US participation in the contraband slave trade to Brazil in the 1840s and the earlier participation of Rhode Island slave traders in the traffic to Cuba and South Carolina shows that the US slave trade, or the transatlantic slave trade as a whole, for that matter, went through a radical transformation during the nineteenth century as a consequence of slave trade legislation passed in Britain and in the United States.

It is doubtful that US-built vessels or British merchandise could have been stopped from entering the illegal business in the free enterprise environment in which all transatlantic trade operated at the time. Neither the United States nor Britain would control the ultimate end to which these items were put. While the two countries followed almost opposite trajectories regarding slavery, they faced very similar problems in the abolition of the transatlantic slave trade. In an environment marked by increasing competition for markets and, in the case of the British, a strong faith in the benefits of legal commerce (which would naturally replace the slave trade according to many abolitionists), it was unlikely that any government would take more radical measures that could affect trade. Not surprisingly, most of the few steamships that appeared in the last years of the slave trade were built in Britain or used British technology despite their efforts to suppress the traffic. Such a conclusion reinforces the argument developed by David Eltis, and more recently explored by Robin Law and Eliga Gould, about the limits to anti-slave trade actions imposed by a world of sovereign nation-states functioning within a framework of international law.⁶⁵

From the perspective of the number of Africans illegally taken to Brazilian plantations, it is unlikely that the treaty of 1842 could have had any impact. As we have seen, slave traders constantly switched to other flags in face of abolitionist pressure. The use of the US flag was one among many other strategies

⁶⁵ Eltis, *Economic Growth and the Ending*; Robin Law, 'Abolition and Imperialism: International Law and the British Suppression of the Atlantic Slave Trade', in Derek R. Peterson (ed.), *Abolitionism and Imperialism in Britain, Africa, and the Atlantic* (Athens, OH: Ohio University Press, 2010), pp. 150–74; Eliga H. Gould, *Among the Powers of the Earth: The American Revolution and the Making of a New World Empire* (Cambridge, MA: Harvard University Press, 2012), pp. 157–77.

employed in the illegal business, with the Sardinian and French flags playing important roles in Bahia and Rio de Janeiro, respectively. Moreover, an increasing number of vessels simply abandoned flags and documents altogether throughout the 1840s and 1850s. In the end, the United States had little influence over the regulation or the business of slave trading in Brazil. As long as coffee production in Brazil (directly connected to its increasing consumption in the United States) demanded enslaved Africans and the Brazilian political situation favoured their illegal introduction into the country, the slave trade would continue.

Spanish and Portuguese abstracts

Spanish abstract. Este artículo explora la contribución estadounidense al tráfico ilegal transatlántico de esclavos a Brasil. El material combina perspectivas cualitativas y cuantitativas basadas en los registros diplomáticos y en el documento *Voyages: The Trans-Atlantic Slave Trade Database* (Viajes: Base de Datos del Tráfico Transatlántico de Esclavos) con el fin de evaluar la dimensión y las formas de participación estadounidense en dicho tráfico a Brasil. De forma más general, el artículo examina las tensiones causadas por el surgimiento del abolicionismo y las limitaciones para la aplicación de la legislación anti-tráfico de esclavos en un ambiente de comercio libre internacional surgido tras las Guerras Napoleónicas. Al enmarcar las actitudes del gobierno norteamericano al interior de un contexto Atlántico más amplio, este trabajo muestra por qué ciertas formas de participación estadounidense en el contrabando del tráfico de esclavos (como proveer barcos construidas en Estados Unidos) fueron más predominantes que otras (como financiar y organizar directamente traslados de esclavos) a mediados del siglo XIX.

Spanish keywords: tráfico esclavo transatlántico, imperio brasileño, relaciones Brasil-EEUU, libre comercio

Portuguese abstract. O presente artigo explora a contribuição dos EUA para o tráfico transatlântico ilegal de escravos para o Brasil. Abordagens qualitativas e quantitativas são combinadas, com base em documentos diplomáticos e na *Voyages: The Trans-Atlantic Slave Trade Database*, para estimar o volume e a variedade de formas de participação dos EUA no tráfico para o Brasil. De modo mais geral, o artigo examina as tensões geradas pela ascensão do abolicionismo e os obstáculos à execução da legislação anti-tráfico no ambiente internacional de livre comércio que emergiu após as Guerras Napoleônicas. Com o enquadramento das ações do governo dos EUA em um contexto atlântico mais amplo, este trabalho demonstra por que certas formas de participação dos EUA no contrabando negreiro (como o fornecimento de navios construídos no país) se tornaram mais predominantes que outras (como o financiamento e organização diretas de expedições negreiras) em meados do XIX.

Portuguese keywords: tráfico escravo transatlântico, império Brasileiro, relações Brasil-EUA