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*ALVARA of the Prince Regent of Portugal, respecting the Slave Trade. 24th November, 1813.\* (Translation.)*

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I, the Prince Regent, make known to all who shall see the present Decree, to avail as though it were an Act passed, that having taken into my royal consideration the returns of the population of this State of Brazil, which I ordered to be laid before my Royal Person; and it being evident, on a perusal thereof, that the number of the inhabitants is not yet proportionable to the vast extent of my dominions in this part of the world, and that therefore it is insufficient to supply and effect, with such promptitude as I have recommended, the important works already realized in many parts, such as opening of communications in the interior, by land and by rivers, between this capital and the different captainships of this Empire; the improvement of agriculture, the plantations of hemp, spices, and of other products of great importance, and of known utility, both for internal consumption and that of exportation; the establishments of manufactures which I have ordered; the exploration and extraction of the precious products of the vegetable and mineral kingdoms which I have encouraged and fostered, articles with which this happy and opulent country abounds, especially favoured in the distribution of riches, divided amongst the various parts of the globe; and that, having also considered that the provident dispositions ordered by me for the welfare of the population of these my kingdoms, cannot immediately yield their salutary effect, as they depend on a successive space of time; not being possible for that reason to facilitate the supply of the workmen, which infirmity and death daily disable or deprive of life; the urgent necessity of permitting the expedient hitherto practised for conveying and exporting from the ports of Africa hands to

\* Referred to in Convention of 28th July, 1817. Vol. II. Page 95.

aid and promote the increase of agriculture and industry has been manifested to me, so as to produce by a greater portion of work, a greater abundance of products. But bearing in mind the cruel and inhuman treatment which the Negroes experience on their passage from the ports of Africa to those of Brazil, the barbarity and sordid avarice of many of the masters of the vessels who convey them, being carried to the extreme, and who, misled by the fatal ambition of getting freights and more profit, overload the ships by admitting a much greater number of Negroes than can be conveniently stowed, standing in need of necessary food for their subsistence, not only in quantity, but also in quality, inasmuch as they give them such damaged and corrupted provisions as turn out most to account; and as the result of so abominable a traffic, which cannot be thought of without horror and indignation, is sickness, which for want of being cured and of proper treatment, turns to epidemic and mortal diseases, as experience has unfortunately proved; and as my constant and natural sentiments of humanity and beneficence cannot tolerate the continuance of such acts of barbarity, committed under a manifest violation of divine and natural rights, and of the Royal dispositions of the Kings my august progenitors, according to the Decrees of the 18th March, 1684, and the Act passed on the 1st July, 1730, which I order to be observed in all such parts as shall not be annulled in this my present Decree, or substituted by other dispositions more conformable to the present state of things, and to the advancement and perfection to which physical knowledge and the new chemical discoveries have arrived, particularly as far as regards the important object of public health; I have, in consequence thereof, been pleased to determine and pronounce the following provisions, to be inviolably observed and fulfilled.

I. As it is necessary for the health and lives of the Negroes who are conveyed from the ports of Africa to those of this State of Brazil, that they should have during the passage sufficient room to lie in, and enjoy that ease which is indispensable for the preservation thereof, the dimensions of the space necessary for that purpose, not being dependant on the arbitrary or capricious notions of the masters of the vessels;—under all

these considerations, I have deemed fit to determine, conforming myself to the measures which other enlightened States have adopted respecting this subject, and which constant experience has manifested to appertain to the ends which I purpose; that ships employed in the conveyance of Negroes shall not receive a greater number than their quota, according to the proportion of 5 Negroes for every 2 tons, which proportion is only to take place for the quantity of 201 tons, and for the additional tonnage beside the 201 above expressed, I permit them to ship one Negro only for each additional ton.

And, in order to prevent the frauds that may be practised by conveying a greater number of individuals than those regulated by the established orders, and also to be cautious of the liquidation of my Royal duties, and of the frauds practised by some masters of vessels who convey Negroes for their own account, and that of private individuals, and are accustomed to supply the deficiency of their own Negroes when it proceeds from sickness or any other misfortune, by availing themselves of the Negroes of other owners, and wickedly and fraudulently making them suffer the loss which ought only to attach to the said masters; I order that each ship shall have a cargo-book, arranged in the same manner as those made use of for goods: that in the left margin of the book there be specified the number of Africans embarked, denominating their sex, declaring whether they are adults or children, to whom they are consigned, and enumerating the distinctive mark which denotes him or her; and in the column or margin on the right, that a description of the individual who may die, be given, stating his or her quality, mark, and consignee. And inasmuch as it is highly repugnant to the sentiments of humanity that such marks should be permitted to be made with hot iron; I order that such a barbarous invention shall not be practised in future, substituting in lieu thereof a handcuff or collar, whereon is to be engraved their mark, to serve as a distinction; those who contravene this part being subject to the penalty set forth in the Ordinance, book the 5th, title 36, paragraph 1, in the beginning thereof. And for the due legality of the above-mentioned particulars, I order that the book in which they are made be certified by the judge of the custom-

house, or whomsoever may officiate in his stead, in the port from whence the vessel may depart, the masters immediately on their entering any of the ports of this State of Brazil being required to produce this book for the inspection of the authorities whom I may appoint for that purpose; and should it happen that, in violation of what I have determined, a greater number of slaves be introduced on board than that established, in such event the transgressors will incur the penalties set forth in the Act of the 1st of July, 1730, which I order to be observed in that part as is therein contained. And in order that it may legally appear if this my Royal determination be observed or not, I order that vessels employed in this kind of conveyance shall be visited at the time of departure from the port in which they have been laden, and at that where they may arrive to which they are destined, by the respective judges of the custom-house, intendency, or such other authority as I may think fit to appoint for that purpose.'

II. And as the assistance of a skilful surgeon is likewise essentially necessary for the preservation of health, and the attendance on and cure of diseases, I order that all vessels destined for the conveyance of Negroes shall carry an expert surgeon; without whom they shall not be permitted to depart. And as it is proper to reward those who by their skill, attention, and humanity, may contribute to the preservation of health, and the cure and re-establishment of the Negroes that may be conveyed to the ports of Brazil, I have been pleased to determine, that should it happen that the number of those who die in the passage from the ports of Africa to those of Brazil do not exceed 2 in 100, in that event the master of the vessel is to receive, as a remuneration, 240 mil-reis, and the surgeon 120; and should the number of those who die exceed 3 per hundred, there shall be allowed to the master and surgeon one-half part of the remuneration above stated to be paid, out of the coffers of the board of health; and in the event of the number of persons who die being to such a degree as to create suspicion of neglect in the execution of the regulations for the salubrity of the passengers or the cure of the sick, I order the Judge in the Criminal Department, to whom the lists of mortality of every vessel are to be produced, to proceed to a minute

examination of witnesses ; in order that those, whom it may be proved shall have violated my Royal orders, relative to the completion of the obligations required of them in so important an affair, be punished.

III. For the better and more regular treatment of the invalids, and in order to guard against the infection of disease, which for want of necessary precaution, may turn to epidemic or still more grievous distempers, by a neglect in the necessary treatment, cleanliness, and supply of proper food, I order that in the forecastle, or in any part of the ship that may be deemed more convenient, an infirmary be established, in which the sick are to be admitted, there to be treated in the manner directed to be observed on board ships of war: and it not being possible that the care and attention of the sick can be entrusted to persons who, being employed in other services, cannot attend to the infirmary with that assiduity which is requisite, I order, in compliance with the 10th chapter of the law of the 18th of March, 1684, that there be appointed 2, 3, or more persons, according to the number of the sick, who are to be occupied in attending on them, and for that purpose excluded from all and other service.

IV. And also, to provide against the introduction of diseases on board, I order that no one be permitted to embark who may labour under any contagious distemper, for which purpose the proper examinations ought to be made by the persons appointed by the principal physician of the kingdom, where there is one, (to be professional men,) by the surgeon or physician who may be in the port of shipment, or by the surgeon of the vessel.

V. As it is materially conducive to the preservation and existence of the individuals who are exported from the ports of Africa, that the food which masters of vessels ought to furnish to the crew and passengers should be of a good quality, and that in the distribution thereof a sufficient quantity be given to each individual: I order that the provisions which the masters propose to take in, shall be first approved of and examined on shore in the presence of the person appointed by the chief physician of the kingdom, should there be any, or by such physician or surgeon as there may be in the port of

shipment, or by the surgeon of the ship, and on the provisions being approved of, as well in the quality, as in the quantity, the competent licence shall be required from the Governor for shipping the same; for which examination, searches, and licences, the masters are not to pay any fees whatever; and as it is repugnant to the feelings of humanity, that even the slightest variation or negligence should be exercised and tolerated, and more particularly in order that any neglect in the approval of provisions should be punished, which very frequently proceeds from mercenary views, bribery, or from a prospect of illegal gains, by admitting such as ought to be rejected as hurtful: I positively order the General Governors and Captains, and the Governors, or such as may represent them, not to grant licence for such provisions to be laden, on its appearing that the approval thereof was not given with due sincerity, but on the contrary, they shall proceed to a fresh examination, informing me of the result, that the transgressors may be punished according to law; and I particularly recommend the Governors to be present as often as their occupations will admit of it, at such examinations and researches, so as that the subalterns employed may be more exact and punctual in the performance of their duty, in the execution whereof humanity is so much concerned, as well as the benefit of my Royal service.

VI. Although French beans may be the principal food furnished to Africans on board vessels, it having been ascertained by experience that they decline and reject the same, the first days of their voyage being over it is proper it should be varied, giving them a portion of rice at least once a week, and mixing the French beans with the Indian corn, which aliment the Negroes prefer to any other, excepting mandoby, to which they always give the preference, and therefore ought to be supplied with the same, providing for them a sufficient quantity of fish and dried meat likewise of good quality, for the cookery whereof iron cauldrons shall be used instead of copper ones, the latter being disallowed.

VII. A want of sufficiency of water being the greatest misfortune to experience, and especially on board of ships overladen with passengers, whilst they cannot get clear of the

scorching heat of the coasts of Africa, and it having been ascertained that from such a deficiency there usually results the diseases and death of a great number of Negroes, victims of the inhumanity and avarice of masters of vessels: I order that the water shall be regulated at the rate of 2 canadas per head per day for drinking and cooking, calculating the voyages from the ports of Angola, Benguela, and Cabindo, to this of Rio de Janeiro, at 50 days; from the same ports to the Bahia and Pernambuco at 35 to 40 days; and 3 months when the ship comes from Mosambique; and out of the said allowance of water, each individual is to be furnished indiscriminately with one canada per day for drink, as follows; half a canada at dinner, and half a canada at supper; and being desirous that in future the barbarity made use of in the distribution of the water be not exercised, the cruelty having arrived at such a pitch as to strike those who, being most afflicted by thirst, came eagerly to satisfy themselves: I order that, retaining the established practice for provisioning the Negroes, they being divided into messes of 10 each, there be furnished alike to each mess such quantity of water as may be required, at the rate of half a canada per head at dinner, and at supper supplying each mess with a vase of madeira or cassengos containing 5 canadas of water.

VIII. As the preservation of the water, as well of the quantity as of the quality, depends on the vessels, pipes, or tuns, being perfectly secured and fastened, and quite clean; I order that there be not admitted for containing the water, any thing that shall not have those requisites, excluding all such as may have served for wine, vinegar, brandy, or any other use that may contribute to the corruption of the water: and in the examination of the state of such vessels I order that the most rigorous investigation take place.

IX. Experience having proved that on the greatest care and vigilance, in the cleanliness and uncorruptedness of the vessels, and of the frequent readmission of the air, the preservation of the mariners depends, and even the personal interest of the owners of ships; therefore, and in order that they may not receive freight for the conveyance of the Negroes who die in the voyage from the Eastern coast to the ports of this con-

inent: I order that no ships destined for the conveyance of Negroes shall depart from the ports of my dominions on the coast of Africa, without an examination being previously made as to her cleanliness, refusing to grant the competent licences for departure to such as shall not be in a fit state to receive them; and a similar examination is to take place in the ports where the ship or vessel may unload, those captains who convey to the ports of the Brazil, Negroes from other ports, being subject to a like examination, and on non-compliance with the regulations ordered in this Decree, they will be subject to the penalties herein specified, as far as relates to transgressors.

X. The captain or master of the ship is to be particularly careful in often renovating the air by means of ventilators, which he shall be obliged to carry for that purpose, and the master or captain of the ship or vessel is likewise to cause the Negroes on board to be brought on the quarter deck in the morning and afternoon, in order to breathe the free air, providing them in the morning of every foggy day with a sufficient quantity of brandy, and compelling them to bathe at mid-day in salt water.

XI. With the same wholesome intention of preventing diseases from propagating on board and becoming contagious, I order, that in the last search of the vessel prior to her departure, that is of such ships as may convey Negroes from my dominions on the coast of Africa, the state of such Negroes shall be examined, and that if any of them have an infectious disease, or require a more careful cure, they are to be disembarked to be restored to health; and if my royal treasury shall have received the duties of exportation, I order, that the actuary of the Custom-house, or his deputies, shall pass the necessary securities to prove where it may suit to remit the duties for the Negro or Negroes so disembarked after being paid for, and such duties are to be discounted on the departure of a like number of Negroes to be embarked in subsequent shipments; it being well understood that the chief physician of the district, where there is one, or in default thereof, the land surgeon, or that of the ship, and the person appointed by the chief physician of the kingdom, are to be present at



this last examination and decision, by whom an attestation is to be granted, declaring the infirmity and other distinctive symptoms of the Negro whom they are to order to be disembarked, specifying the number of those who proceed on the voyage; and should such ships arrive at the port of their destination, the master or captain is to present such attestation to the Governor or Captain-General-Governor, who may reside there, or their deputies, for the latter to forward the same to my royal residence, through the medium of the Secretary of State for Maritime Affairs, and the Ultramarine Dominions. And the master or captain is to deliver a duplicate of the said attestation to the person appointed by the chief physician of the kingdom at the port of disembarkation, or to his deputies, and should the ship enter in the port of this city and court of Rio de Janeiro, the master or captain is to deliver such attestation to the said Secretary of State for Maritime Affairs and Ultramarine Dominions, and a duplicate thereof to the chief physician of the kingdom or his deputies.

XII. And as it is not less important to prevent and hinder the public health from suffering for want of necessary precaution in the examination of the condition of Negroes, on their arrival at the port of destination; and as it is requisite that this should not be permitted prior to the competent visits from the Board of Health, and search being made to ascertain whether there is any contagious disease on board, I order, that in all the ports of this continent, and others wherein the disembarkation of the individuals exported from the coast of Africa shall be permitted, there be established a Lazaretto out of the city, choosing for that purpose an elevated and wholesome spot; in which Lazaretto the sick Negroes are to be received, in order to be attended and cured, until the person appointed, to whom the care of the Lazaretto and the care of the invalids shall be committed, deem them in a fit state to go to the houses of the persons to whom they come consigned, who are to provide the necessary means for their subsistence by a daily allowance, which I order to be regulated by my Royal Junta of Commerce: and to prevent frauds, deceit, and prevarication in the execution of such necessary precautions, by delaying or making difficulties as to their disembarkation under captious pretexts,

with the reprobated intention of extorting illegal remunerations from the persons interested, who might comply, to obtain a speedy conclusion of the business, I have very particularly recommended the chief physician of the kingdom to be extremely circumspect in the election of persons intended for such occupations, and to see that they execute their important trust with the fidelity and disinterestedness required, and, the extortion and covetousness used having been represented to me, so as to bring the delinquents to punishment with all the rigour of law. And, that I may ascertain the exactness practised in the execution of these my salutary and paternal dispositions, and the effect thereof in benefit of the public health, I order, that either the said chief physician of the kingdom, or his deputy, shall grant an attestation, declaring the number of deaths, and of those sick on board, at the time of the arrival of the vessel, which is to be laid before my Royal person by the Secretary of State for Maritime Affairs, and the Ultramarine Dominions.

Wherefore, I order the Chief Judge in the Council Chamber, the President of my Royal Exchequer, the Royal Junta of Commerce, Agriculture, Manufacture, and Navigation, the Chief Justice of the Tribunal of Supplication, or his deputy, the principal Judges, Magistrates, Justices, Officers, and other persons of these my kingdoms and dominions, to whom the fulfilment of this my decree may appertain, to observe and perform the same inviolably and justly, as is therein contained, without any doubt or difficulty attaching thereto, notwithstanding all laws, acts, decrees, sentences, regulations, or arrangements to the contrary; all of which I annul, as though special and particular mention were made of each, and which would otherwise remain in full force. And it is to serve as an Act passed by the Chancery, (although that tribunal does not grant any, the validity whereof is to be for more than one year,) notwithstanding any ordinance to the contrary.

Given in our Palace of the Royal Treasury of Santa Cruz,  
on the 24th November, 1813.

THE PRINCE.

COUNT DAS GALVEAS.

*Decree to avail as an Act passed, whereby your Royal Highness has been pleased to regulate the measurement of ships*

*employed in the conveyance of Negroes, exported from the ports of Africa, to those of Brazil; your Royal Highness giving, in virtue of your incomparable sentiments of humanity and beneficence, the mildest and most wholesome regulations for the benefit of those individuals.*

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