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The Press.

TUESDAY, JANUARY 12, 1858.

NEW VIEWS ON INDIA.

In the last number of the *Irish News*, a journal ably and spiritedly conducted by THOMAS FRANCIS MEAGHER, will be found a curious—almost a remarkable article. It is entitled, "Address, to the Hon. JAMES BUCHANAN, President of the United States," and bears the signature of KILMAINHAM, which is the *nom de plume*, we believe, of one of Mr. MEAGHER's friends and associates in the Irish Revolt of 1848. KILMAINHAM dates his communications from Dublin, and very eloquent they are.

Some months ago, when the insurrection in British India was announced, a rumor got abroad that it was intended to recruit in the United States, on the part of Great Britain, in order to raise a few regiments for the Anglo-Indian service. We discredited the report, on various grounds, among which was a certainty that, not raw recruits but thoroughly disciplined soldiers were immediately needed for India, and also that, after the CRAMPTON recruiting troubles, Great Britain would probably light shy of the chance of a second involvement on the same ground. We had the opinion, however, that if Great Britain had desired to recruit for her Indian service, there was no legal impediment to her doing so in the United States—the principle of international law being that one country in alliance with the United States should not raise a force here to be employed against another country, also bound to us by treaty and friendship.

As Great Britain was not about making war upon any country in alliance with the United States, but merely trying to put down rebellion in her disaffected provinces, she could have attempted to raise a force here. That is, if any men could have been so badly off among us as to find it worth while to become "food for powder," in a dreadful climate, for twenty-five cents a day, and find themselves.

At that time, the *Irish News* pursued a line of argument antagonistic to ours, declaring that Hindostan had declared her Independence (by revolt), and that the President of the United States was bound to discountenance any attempt to raise men for the purpose of fighting against "his Majesty the Emperor and King of Delhi," whom the rebel Sepoys had proclaimed.

Such being the opinion of the *Irish News*, which exalts in the difficulties of the English in India, we need not be surprised that KILMAINHAM writes very strongly on the same side. He commences and concludes by addressing Mr. BUCHANAN as "Sovereign among Sovereigns," and desires to interest him "on behalf of a country whose area is ten times as great as that of France, and whose boundary is equal to one-half the circumference of the globe," on behalf of India "historically the oldest, naturally the richest and fairest portion of the earth's surface," on behalf of "the inhabitants of this marvellous land, forming, as they do, a population of over 150,000,000 of every varying creed, and hue and form."

He declares that the climate of India is unsuited to the constitution of Europeans, *who (he says) generally* decay there, in the third generation; that, therefore, India cannot be colonized by Europeans; and KILMAINHAM piously adds: "Providence thus seems to announce to the world that India belongs to the natives of India; and to affix the seal of His condemnation to the attempt on the part of Europeans to intrude upon the portion and the heritage of His children, who are born, and live and die, within view of the Garden of Paradise."

Therefore, he declares, if India cannot be colonized, she must be free, or else held in subjection by military force. Till within a comparatively recent period, he says, "India was free (free from foreign control,) and then India was rich, prosperous, powerful—a beneficent region, which we have made a wilderness!—that would renew the anarchy which overshadowed Hindostan, at the time, and to carry out the restoration in full, the noble cities of Calcutta, Madras, and Bombay—all of which have sprung up since CLIVE's time—should be razed to the ground, as Delhi now deserves to be."

No, Mr. BUCHANAN has sufficient to do, at present, without holding a Congress to dispose of the British of India, nor would the great Powers of Europe send delegates thereto, if he did convene it. Restore India to what she was in 1757, says KILMAINHAM, (who modestly describes himself as "the leading statesman of the Old World,") and

"Surely it is not idle to indulge the hope that India would become, in a shorter time than the English usurpation has yet endured, what she was once before; a great, mighty, and prosperous nation; the abode of industry, wealth, and power; the seat of a civilisation which would combine the genius of the ancient with the wisdom of the modern—the spiritualism of Greece, with the naturalism of Britain—a benefactress to the world and glory to humanity!"

Highbahlin! Out of the present war in India improvement *must* come, though not as KILMAINHAM calculates. A new and benevolent and improving system of Government must be inaugurated and carried on, and then Hindostan will have a prospect, for the first time since CLIVE's victories, of becoming happy and prosperous.

REMARKS OF HON. DANIEL E. SICKLES,

In the House of Representatives, on the Arrest of General Walker by Commodore Paulding, on Thursday, January 7, 1857.

Mr. SICKLES said: Mr. Chairman, it was not my desire to take any part in this discussion in its present stage, nor should I have allowed myself to be diverted from that purpose, but for the extraordinary turn which the debate took yesterday. Expressions were advanced from distinguished sources, censures were imposed, the Administration condemned, the conduct of eminent officers of the public service denounced—without facts, *without a record before us*, upon a very imperfect knowledge of the state of the case, and in advance of that *adjudication which we had made upon the* Executive for such information as we could call the House to come to a just conclusion upon a grave public question.

I shall permit myself now, in advance of the information which we all need, and which cannot be long delayed, to imitate the gentlemen who have preceded me in going into a full discussion of the question before the committee upon its merits. I shall content myself at this time by putting on record my dissent from some of the propositions which have been advanced, to which I cannot accord an approval, and will which I do not believe the House will ever concur.

Why, sir if we had been listening to a discussion in a House of Representatives convened by the President Walker, in Nicaragua, we could not have heard doctrines more peculiarly in unison with his theories of government, as illustrated there, or more directly in conflict with the policy and history of our Government, than we *were forced to listen to on yesterday in this Hall.* We were told that the neutrality act of 1818 was unconstitutional, and inconsistent with the history of our Government, and at war with the principles of our people. As I had read the history of my country, I had taught myself to believe that the policy embodied in the neutrality act of 1818 was the policy handed down to us from General Washington, and perpetuated in our statutes from the Administration of Washington down to the present day—the cherished policy of the American people, never dissented from by any Administration or by any party. Have we forgotten that, within a *very recent period* we have had all the principles embraced in the neutrality act presented to the House and to the country in the enlistment question in which we were involved with the Government of Great Britain? Have we forgotten that Mr. Crampton, her envoy, was dismissed because he had committed an act in violation of the provisions of the law of 1818? I had supposed that the whole country sanctioned the wisdom and firmness of the Executive in that enforcement of the traditional policy of the United States not to permit either its own citizens or the citizens or the representatives of any Power, great or small, to compromise the neutrality of the United States with reference to any nation with whom we were at peace.

Nor must we forget that we have made treaties with various powers, in which we have entered into stipulations based upon this very statute, and of the policy of which it is the enforcement. The most recent of these—and I will not detain the committee by reference to others—are the treaty with New Granada, and, at minor date, we have no official information on the subject as yet—the treaty with Nicaragua. In the treaty with New Granada we have guaranteed to that Republic the neutrality of the route across the Isthmus of Panama. We have entered into stipulations to guarantee and maintain and protect that neutrality, more especially against any hostilities perpetrated by our own citizens, or those claiming to be such.

Nor was I less surprised to hear the doctrine promulgated, that the President of the United States was not authorized to send out the naval forces upon the high seas, to capture our citizens who had violated our laws. It was maintained that this authority could not be extended beyond a marine league.

This power has been asserted by all parties and all administrations. We have never before heard it seriously questioned but that the Government of the United States had that power and that right; and such is the general principle of public law. The authorities are cited by Wheaton, by whom the doctrine is thus stated:

"Both the public and private vessels of every nation on the high seas, and on the territorial waters of other State, are subject to the jurisdiction of the State to which they belong."—*Wheaton's International Law* pt 2, chap 2, sec. 10.

"This jurisdiction is exclusive only so far as respects offences against the municipal laws of the State to which the vessel belongs."—*Ibid*, part 4, chap 3, sec 4.

Have the gentlemen forgotten the treaty for the suppression of the slave trade on the coast of Africa, in which the principle is distinctly recognized? In that treaty we agreed to send a squadron of not less than eighty guns upon the coast of Africa for the purpose of exercising a police over those waters; and a police, not limited to those waters, but extending over all seas, for the purpose of suppressing that infamous traffic. I will read the article from the treaty:

"The parties mutually stipulate that each shall prepare, equip, and maintain in service, on the coast of Africa, a *sufficient and adequate squadron, or naval force of vessels*, of the United States and Portugal, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws, rights, and obligations of each of the two countries, for the suppression of the slave trade, the said squadrons to be independent of each other, but to act in concert when occasion may require, to give such orders to the officers commanding their respective forces as shall enable them most effectually to act in accordance with the spirit of mutual consultation, as exigencies may arise, for the attainment of the true object of this article; copies of all such orders to be communicated by each Government to the other, respectively."—*Treaty with Great Britain*, 1842, *article 8*.

But it seems that a distinction is to be drawn with reference to the particular expedition of Walker, because it is claimed that his was a peaceful enterprise when it set out from our shores; that it embarked in vessels that were not armed; that the men were not organized into platoons, and companies, and regiments; that arms had not been furnished to them; and that, therefore, neither the letter nor the exercise of the authority, if you please, ment could be invoked to arrest the expedition, or punish those who were engaged in it.

I need not remind the House that in every such expedition the question of intent is to be taken into consideration. With what intent was the expedition of Walker organized? With what intent did it set out from our shores? With what intent did it land upon the shores of Nicaragua? Sir, it would be an offence against the good sense of the House to add anything to an argument already so plain, to prove that that expedition set out from our shores with the intent to make war; with the intent to take property and life within the State of Nicaragua, with which we had just made a treaty of amity and friendship. It is a notorious fact, that instantaneously upon the landing of the expedition in Nicaragua, acts of hostility were perpetrated, men were shot down, and property was seized.

I have no desire to characterize offensively the the conduct of Mr. Walker or his men. I shall merely apply to them the characterization which authors on public law, and the duties of nations, apply to such acts. Every one of these writers calls such conduct robbery and murder:

"For the citizens of the United States, then, to commit murders and depredations on the members of other nations, or to combine to do it, appeared to the American Government as much against the laws of the land, as to murder or rob, or to combine to murder or rob, their own citizens; and as much to require punishment, if done within their limits, where they had a territorial jurisdiction; or on the high seas where they had a personal jurisdiction; that is to say, one which reached their own citizens only; this being an appropriate part of each nation, on an element where each has a common jurisdiction."

Note.—Mr. Jefferson's letter to Mr. Genet, June 17th, 1793.—American State Papers, volume 1, page 158. Elements of International Law, by Wheaton, third edition.

The expedition set out, it is true—at least I will assume it to be true, as a concession to the other side—without the men having arms on their persons. I will assume it to be true that the vessels in which they sailed were unarmed. But, sir, our own judicial records show, that although an expedition *may be thus artfully organized*, and though attempts may be thus made to evade the neutrality laws, and to compromise the good faith of our Government, yet such evasions and such contrivances are not suffered to screen the persons who resort to them from the consequences of their acts. This ground is distinctly taken in a case adjudicated by the Supreme Court of the United States. I refer to the case of the United States vs. Quincy, reported in 6 Peters. In that case the defence relied upon the grounds that there were no arms upon the men, and that there were no arms on board the ship. But the Supreme Court held, in that case, that it was a question of intent; that if the whole conduct of the expedition—what it did after it set out as well as what it did before—showed that their intention was to levy war against a people or nation with whom we were at peace, the offence came within the meaning of the act of 1818, and the parties were rendered amenable to its penalties.

No one would go further than myself in maintaining the right of every American citizen to seek for himself a home wherever he may choose. If he desire to pursue his calling, to sever it may be, in another land, let him go. If he desires, either alone, or in company with his fellows, to form an association of colonists, and emigrate peacefully to Central America, or elsewhere, let him or them go. And, so far from punishing such acts as crimes, I would encourage them, because I think the time has arrived when it ought to be the duty and pride of our citizens to disseminate our institutions, and to illustrate practically upon other phones, and among other people, the principles of freedom, of justice, and of liberality, which they have learned under our system of government. I would like to see this done in Central America. I would like to see that Isthmus Americanized in that sense, because I am not insensible to the fact that it is to be the great highway of commerce. Over that Isthmus a very large portion of the commerce of the world is to pass, and it is for the interest of our people, political and commercial, that it should be Americanized as far and as rapidly as possible.

But expeditions like that recently organized, and conducted like that which has been recently seen there, are not calculated to promote the interests of the people of the United States, so far as they are connected with the isthmus of Central America. Sir, there are Republics there. They are our own sister Republics, with which it should be our pride, as it is our duty, to cultivate friendly and affectionate relations. Some of them have already made treaties with us. Others will do so ere long, provided we pursue *towards* them a policy fraternal, sympathetic, frank, and just. But let our Government deal with these Republics. Let our Government, satiated as it is by a full consciousness of the high interests we have at stake there, and governed by principles of justice, good faith, and integrity, take charge of our interests in Central America and our intercourse with those Republics. Do not let us yield our assent that these important interests be committed to the charge of those incapable of doing them justice. If they had the wish to do so; and who, so far as we have yet seen any proof, are rather bent on the purpose of individual aggrandizement, the purchase of notoriety, or the acquisition of more private pelf, than animated by any wish to carry out the policy of the United States Government with reference to that Isthmus.

It is said, Mr. Chairman, that this expedition was a peaceful one, that its men were Britons and sympathizers, who went there solely as propagandists of American ideas, but to propagandize by the force of their example alone and not by hostile acts. I have only to say that, if this were the intent with which that expedition set sail, their plough-shares and their pruning-hooks were converted into swords with a suddenness which really throws some suspicion over the sincerity of their professions.

With reference to the conduct of Commodore Paulding, I have always supposed that the prerogative of pardoning was one lodged in the Executive, or the Judiciary of the state of facts, was always in favor of the conduct of officers acting in the discharge of their duty at a remote post. I have also supposed that the act of General Jackson in preventing her citizens and her forces, which were adjacent to our own territory, being employed in acts of hostility against our own people. Those acts should be visited, it is to be done, relentlessly, discriminatingly, and only when the whole record forces it upon us as an imperative necessity. But Commodore Paulding, it seems, is to be an exception. Every presumption, in his case, is to be against him. Every accusation made by Walker and his followers is to be taken for gospel, and nothing is to be assumed in favor of the gallant officer who has always heretofore discharged fully and faithfully every duty confided to him. While Nicaragua is not here to raise a solitary objection against the conduct of our chief magistrate while we are bound to assume, in the absence of any objection, that she welcomed him as a protector against the hostile acts of his own countrymen so about to be perpetrated, and being perpetrated, with ruthless violence upon her people; while Nicaragua is silent against the act of our own officer, it is arraigned here in this House, though absent, unheard, and without the facts, without the information which we called for only a few days ago. Here, in the House of his friends, in the House of his own country, he is called a kidnapper, and he is arraigned and denounced as guilty of outrages such as would befit him for any other station than that which he holds.

With reference to the particular act of Commodore Paulding, in going upon the territory of another State, and exercising acts of authority, there, I have no idea, nor does Commodore Paulding, in the letter which has been published, say, that he was authorized to do so by his instructions. Nor would I concede for a moment that such a step could be regarded as a precedent to be followed by officers in command, either upon the land or upon the seas.

There can be no question that, in a technical point of view, his act was illegal. There can be no doubt that he exceeded his instructions. It cannot be justified as a proper exercise of authority. Yet, sir, there is a wide difference between justifying an act, and a within the line of official duty, an act like that of Commodore Paulding—there is a wide difference between such justification and the punishment which has been heaped upon him, and the disgrace which is invoked upon his head. He acted, undoubtedly, in accordance with what he conscientiously believed to be the spirit of his instructions. He had reason to believe that the United States Government regarded that expedition as unlawful; he had reason to believe that the persons composing it had escaped the executive and judicial scrutiny of this home, and were compromising the neutrality of the United States, and that he would conform to the policy and the wishes, and the expectation of his people at home if he prevented a scheme of aggression and outrage against a nation with which we were at peace, and with which we had just made a treaty of amity and friendship.

Sir, this is not the first instance in which a commander of our forces has exceeded his instructions in accomplishing an object which he knew full well was the wish of his Government at home. We can never forget the time when General Jackson passed over into the territory of Spain and seized upon her forts and arrested her officers, and hung some of them upon the first tree he met with. How was his conduct regarded by the Government of Mr. Monroe? How was it regarded by the American people? Was he recalled in disgrace? Was he arraigned by those who should not have arraigned him upon the floor of the House of Representatives? No, The authorities are cited by Wheaton, by whom the doctrine is thus stated:

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I need not remind the House that in every such expedition the question of intent is to be taken into consideration. With what intent was the expedition of Walker organized? With what intent did it set out from our shores? With what intent did it land upon the shores of Nicaragua? Sir, it would be an offence against the good sense of the House to add anything to an argument already so plain, to prove that that expedition set out from our shores with the intent to make war; with the intent to take property and life within the State of Nicaragua, with which we had just made a treaty of amity and friendship. It is a notorious fact, that instantaneously upon the landing of the expedition in Nicaragua, acts of hostility were perpetrated, men were shot down, and property was seized.

I have no desire to characterize offensively the the conduct of Mr. Walker or his men. I shall merely apply to them the characterization which authors on public law, and the duties of nations, apply to such acts. Every one of these writers calls such conduct robbery and murder:

"For the citizens of the United States, then, to commit murders and depredations on the members of other nations, or to combine to do it, appeared to the American Government as much against the laws of the land, as to murder or rob, or to combine to murder or rob, their own citizens; and as much to require punishment, if done within their limits, where they had a territorial jurisdiction; or on the high seas where they had a personal jurisdiction; that is to say, one which reached their own citizens only; this being an appropriate part of each nation, on an element where each has a common jurisdiction."

Note.—Mr. Jefferson's letter to Mr. Genet, June 17th, 1793.—American State Papers, volume 1, page 158. Elements of International Law, by Wheaton, third edition.

The expedition set out, it is true—at least I will assume it to be true, as a concession to the other side—without the men having arms on their persons. I will assume it to be true that the vessels in which they sailed were unarmed. But, sir, our own judicial records show, that although an expedition *may be thus artfully organized*, and though attempts may be thus made to evade the neutrality laws, and to compromise the good faith of our Government, yet such evasions and such contrivances are not suffered to screen the persons who resort to them from the consequences of their acts. This ground is distinctly taken in a case adjudicated by the Supreme Court of the United States. I refer to the case of the United States vs. Quincy, reported in 6 Peters. In that case the defence relied upon the grounds that there were no arms upon the men, and that there were no arms on board the ship. But the Supreme Court held, in that case, that it was a question of intent; that if the whole conduct of the expedition—what it did after it set out as well as what it did before—showed that their intention was to levy war against a people or nation with whom we were at peace, the offence came within the meaning of the act of 1818, and the parties were rendered amenable to its penalties.

No one would go further than myself in maintaining the right of every American citizen to seek for himself a home wherever he may choose. If he desire to pursue his calling, sever it may be, in another land, let him go. If he desires, either alone, or in company with his fellows, to form an association of colonists, and emigrate peacefully to Central America, or elsewhere, let him or them go. And, so far from punishing such acts as crimes, I would encourage them, because I think the time has arrived when it ought to be the duty and pride of our citizens to disseminate our institutions, and to illustrate practically upon other phones, and among other people, the principles of freedom, of justice, and of liberality, which they have learned under our system of government. I would like to see this done in Central America. I would like to see that Isthmus Americanized in that sense, because I am not insensible to the fact that it is to be the great highway of commerce. Over that Isthmus a very large portion of the commerce of the world is to pass, and it is for the interest of our people, political and commercial, that it should be Americanized as far and as rapidly as possible.

But expeditions like that recently organized, and conducted like that which has been recently seen there, are not calculated to promote the interests of the people of the United States, so far as they are connected with the isthmus of Central America. Sir, there are Republics there. They are our own sister Republics, with which it should be our pride, as it is our duty, to cultivate friendly and affectionate relations. Some of them have already made treaties with us. Others will do so ere long, provided we pursue *towards* them a policy fraternal, sympathetic, frank, and just. But let our Government deal with these Republics. Let our Government, satiated as it is by a full consciousness of the high interests we have at stake there, and governed by principles of justice, good faith, and integrity, take charge of our interests in Central America and our intercourse with those Republics. Do not let us yield our assent that these important interests be committed to the charge of those incapable of doing them justice. If they had the wish to do so; and who, so far as we have yet seen any proof, are rather bent on the purpose of individual aggrandizement, the purchase of notoriety, or the acquisition of more private pelf, than animated by any wish to carry out the policy of the United States Government with reference to that Isthmus.

It is said, Mr. Chairman, that this expedition was a peaceful one, that its men were Britons and sympathizers, who went there solely as propagandists of American ideas, but to propagandize by the force of their example alone and not by hostile acts. I have only to say that, if this were the intent with which that expedition set sail, their plough-shares and their pruning-hooks were converted into swords with a suddenness which really throws some suspicion over the sincerity of their professions.

With reference to the conduct of Commodore Paulding, I have always supposed that the prerogative of pardoning was one lodged in the Executive, or the Judiciary of the state of facts, was always in favor of the conduct of officers acting in the discharge of their duty at a remote post. I have also supposed that the act of General Jackson in preventing her citizens and her forces, which were adjacent to our own territory, being employed in acts of hostility against our own people. Those acts should be visited, it is to be done, relentlessly, discriminatingly, and only when the whole record forces it upon us as an imperative necessity. But Commodore Paulding, it seems, is to be an exception. Every presumption, in his case, is to be against him. Every accusation made by Walker and his followers is to be taken for gospel, and nothing is to be assumed in favor of the gallant officer who has always heretofore discharged fully and faithfully every duty confided to him. While Nicaragua is not here to raise a solitary objection against the conduct of our chief magistrate while we are bound to assume, in the absence of any objection, that she welcomed him as a protector against the hostile acts of his own countrymen so about to be perpetrated, and being perpetrated, with ruthless violence upon her people; while Nicaragua is silent against the act of our own officer, it is arraigned here in this House, though absent, unheard, and without the facts, without the information which we called for only a few days ago. Here, in the House of his friends, in the House of his own country, he is called a kidnapper, and he is arraigned and denounced as guilty of outrages such as would befit him for any other station than that which he holds.

With reference to the particular act of Commodore Paulding, in going upon the territory of another State, and exercising acts of authority, there, I have no idea, nor does Commodore Paulding, in the letter which has been published, say, that he was authorized to do so by his instructions. Nor would I concede for a moment that such a step could be regarded as a precedent to be followed by officers in command, either upon the land or upon the seas.

There can be no question that, in a technical point of view, his act was illegal. There can be no doubt that he exceeded his instructions. It cannot be justified as a proper exercise of authority. Yet, sir, there is a wide difference between justifying an act, and a within the line of official duty, an act like that of Commodore Paulding—there is a wide difference between such justification and the punishment which has been heaped upon him, and the disgrace which is invoked upon his head. He acted, undoubtedly, in accordance with what he conscientiously believed to be the spirit of his instructions. He had reason to believe that the United States Government regarded that expedition as unlawful; he had reason to believe that the persons composing it had escaped the executive and judicial scrutiny of this home, and were compromising the neutrality of the United States, and that he would conform to the policy and the wishes, and the expectation of his people at home if he prevented a scheme of aggression and outrage against a nation with which we were at peace, and with which we had just made a treaty of amity and friendship.

Sir, this is not the first instance in which a commander of our forces has exceeded his instructions in accomplishing an object which he knew full well was the wish of his Government at home. We can never forget the time when General Jackson passed over into the territory of Spain and seized upon her forts and arrested her officers, and hung some of them upon the first tree he met with. How was his conduct regarded by the Government of Mr. Monroe? How was it regarded by the American people? Was he recalled in disgrace? Was he arraigned by those who should not have arraigned him upon the floor of the House of Representatives? No, The authorities are cited by Wheaton, by whom the doctrine is thus stated:

"Both the public and private vessels of every nation on the high seas, and on the territorial waters of other State, are subject to the jurisdiction of the State to which they belong."—*Wheaton's International Law* pt 2, chap 2, sec. 10.

"This jurisdiction is exclusive only so far as respects offences against the municipal laws of the State to which the vessel belongs."—*Ibid*, part 4, chap 3, sec 4.

Have the gentlemen forgotten the treaty for the suppression of the slave trade on the coast of Africa, in which the principle is distinctly recognized? In that treaty we agreed to send a squadron of not less than eighty guns upon the coast of Africa for the purpose of exercising a police over those waters; and a police, not limited to those waters, but extending over all seas, for the purpose of suppressing that infamous traffic. I will read the article from the treaty:

"The parties mutually stipulate that each shall prepare, equip, and maintain in service, on the coast of Africa, a *sufficient and adequate squadron, or naval force of vessels*, of the United States and Portugal, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws, rights, and obligations of each of the two countries, for the suppression of the slave trade, the said squadrons to be independent of each other, but to act in concert when occasion may require, to give such orders to the officers commanding their respective forces as shall enable them most effectually to act in accordance with the spirit of mutual consultation, as exigencies may arise, for the attainment of the true object of this article; copies of all such orders to be communicated by each Government to the other, respectively."—*Treaty with Great Britain*, 1842, *article 8*.

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