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The *Uniao*: Inhumanity and Complexities of the Transatlantic Slave Trade, 1820s

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On the summer day of July 14, 1825, the waves collapsed gracefully on the shores of Bahia, Brazil. The palm trees along the shore and the green and yellow colors of the Brazilian Flag swayed. The salty air began to enter the lungs of the 25 crewmen on board the *Uniao* as they were preparing to depart from Brazil.¹ The *Uniao* was a Brazilian schooner that weighed about 118 tons.² On the *Uniao*, a passport enlisted to the schooner stated that Vicente de Paulo de Silva was the owner of the vessel and the vessel had plans to travel to Molembo, Africa.³ However, the journey the *Uniao* took differed from the voyage listed on the passport. Instead of traveling to Molembo, the *Uniao* sailed to Lagos, Africa.

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1 Report of the Case of the *Uniao* (17 June 1826), The National Archives of the UK (TNA), HCA 35/9, p. 101.
On September 1, 1825, the *Uniao* arrived in Lagos and received, according to the vessel’s Master Jose Ramos Gomis and the Mate Jose da Rosa, 364 captives.\(^4\) Once on board the *Uniao*, the captives were “cramped in such a way that they could scarcely breathe.”\(^5\) Then, the *Uniao* began to make the journey back to Brazil to deliver the captives.

The *Uniao* represents one of the 138 slave ships that left Bahia and sailed to Lagos during the years of 1812 to 1851.\(^6\) In addition, the *Uniao* was one of about 13 Brazilian slave ships that were captured and taken to Sierra Leone between the time Brazil gained its independence and the establishment of the British and Brazilian Court of Mixed Commission.\(^7\) While the story of the *Uniao* cannot be used to generalize the transatlantic slave trade as a whole, the story of the *Uniao* shows how broader trends of the slave trade applied to one specific slave ship. Many researchers have spent time researching the abolition of the transatlantic slave trade, but few researchers have studied how abolition impacted one specific slave ship.\(^8\) Investigating one specific slave ship can reveal an extensive amount of information about anti-slavery movements and the conditions of slave ships in the Atlantic. The case of the *Uniao* demonstrates the inhumane

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\(^4\) Ibid.

\(^5\) “Supply of Water,” *Caledonian Mercury* (Edinburgh, Scotland), December 29, 1825.


\(^8\) Exceptions include *The Diligent* by Robert Harms and *The Voyage of the Slave Ship Hare: A Journey into Captivity from Sierra Leone to South Carolina* by Sean M. Kelley.
conditions of the transatlantic slave trade that allowed for diseases to spread and the complexities of British antislavery movements in Portugal and Brazil in the 1820s.

The Portuguese viewed slavery as a fundamental part of society in Brazil. Slavers were often praised in Brazil for purchasing captives from Africa to impress the king and to “[Save] the negroes’ souls by buying their bodies.” When Brazil claimed independence, on September 7, 1822, from Portugal, Brazil had to establish themselves among other countries. Therefore, it made sense for Brazil to continue utilizing the slave trade to create a desirable economy. In Brazil, the dominant use of seaports was to deliver the captives from Africa that were collected by Brazilians. However, Bahia was one of the most prominent ports in Brazil for the slave trade and had strong commercial ties with the Bight of Benin due to Bahia’s reliance on slave labor for plantations. As the British began to advocate for the abolition of the slave trade, the British began to pressure Brazil to diminish its reliance on the slave trade after Brazil gained its independence from Portugal. The pressure exasperated by the British caused Brazil to reshape their social order based on the notion that “a constantly maintained supply of African labour, [would make Brazil] unfitted for progress and for social integration.” Subsequently, Brazil began to gradually work with Britain to abolish the slave trade. Until Brazil agreed to work with Britain to abolish the slave trade, Britain would capture Brazilian ships and condemn the vessels.

On September 9, 1825, the H.M.S. *Atholl* was sailing along

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the Atlantic Ocean when Captain James Arthur Murray noticed a schooner sailing under Brazilian colors north of Princes Island.\(^{11}\) Captain James Arthur Murray approached the vessel in the company of the H.M.S. *Esk* and the H.M.S. *Redwing*.\(^{12}\) According to a letter from the Captain of the *Redwing*, the *Redwing* chased the *Uniao* “into the mouths of his majesty’s ships *Atholl* and *Esk*, and thus hemmed in on all sides.”\(^{13}\) Murray quickly detained the Brazilian schooner, the *Uniao*, and its master, Jose Ramos Gomis, based on the discovery of a total number of 361 captives on board at the time of capture. The Captain of the H.M.S. *Redwing* stated that the captives were “crammed in such a way that they could scarcely breathe.”\(^{14}\) The 361 captives on board at the time of capture consisted of 217 men, 30 women, 80 boys, and 33 girls.\(^{15}\) Murray detained the *Uniao* based on the fact that the *Uniao* was participating in the slave trade north of the equator.\(^{16}\) Once Murray detained the Brazilian schooner, Murray took the vessel to Sierra Leone to be tried by the British and Portuguese Court of Mixed Commission.

On the journey to Sierra Leone, the health of the captives depleted. A total of 112 captives died on the journey to Sierra Leone from the place of capture. Consequently, at the time of arrival, there were a total of 249 captives that consisted of 138 men, 25 women.

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11 Chart of Vessels Condemned in 1825 at the British and Portuguese Mixed Commission (6 Feb. 1826), The National Archives of the UK (TNA), FO 84/48, p.100. The exact coordinates that were listed are 2.33” N, 4.17” E.
12 Report of the *Uniao* (1826), (TNA), HCA 35/9, p. 100-102.
13 “Supply,” *Caledonian* (Scotland), 1825.
14 “Supply,” *Caledonian* (Scotland), 1825.
15 Report of the *Uniao* (1826), (TNA), HCA 35/9, 100.
16 George Rendall, Esq. to Mr. Secretary Canning (2 June 1826), Irish University Press, IUP 11, pg. 39.
53 boys, and 33 girls. In the report of the case of the
Uniao, it states that many of these deaths were most likely due
to multiple cases of smallpox and dysentery.\(^\text{17}\) There was no surgeon
on board the H.M.S. Atholl to look after the health of the captives.
Regardless, the report states “that the greatest care was taken of [the
captives that were on board the Atholl].”\(^\text{18}\) Once the vessel arrived in
Sierra Leone on October 21, 1825, the surgeon attached to the Brit-
ish and Portuguese Court of Mixed Commissions visited the vessel
and found a total of eleven remaining cases of smallpox and several
cases of dysentery. \(^\text{19}\) Due to this discovery, the surgeon decided to
put the Uniao on quarantine regulations.\(^\text{20}\) With all of the Uniao’s
casualties, the mortality rate rose to 32 percent. A mortality rate of
at least 32 percent was highly uncommon in the transatlantic slave
trade. For instance, the Uniao was one of 588 slave ships that had a
mortality rate of at least 32 percent.\(^\text{21}\)

Unlike a mortality rate of at least 32 percent, it was com-
mon during the transatlantic slave trade for captives’ health to de-
plete. While on the shores of Africa, ship captains would negotiate
for the healthiest Africans. However, “the proliferation of dangerous
maladies,… often weakened captives’ valuable bodies.”\(^\text{22}\) On board

\(^{17}\) Report of the Uniao (1826), (TNA), HCA 35/9, 100.
\(^{18}\) Ibid.
\(^{19}\) Ibid.
\(^{20}\) Ibid.
\(^{21}\) Voyages Database. 2019. Voyages: The Trans-Atlantic Slave Trade Data-
\(^{22}\) Sowande’ Mustakeem “‘I Never Have Such a Sickly Ship Before”: Diet,
Disease, and Mortality in 18th-Century Atlantic Slaving Voyages” The Journal of
African American History 93, no. 4 (Fall 2008): 475.
slave ships, “sickness and disease… fostered by the incubation of contagious and often deadly illnesses circulated and spread in the bowels of slaving vessels.”\textsuperscript{23} The \textit{Uniao} allowed for diseases to fester by having all of the captives on board crammed below the deck, causing large outbreaks of dysentery and smallpox. According to So-wande’ Mustakeem, causes of disease outbreaks were a combination of “violent and brutal treatment… [as well as] the limited amount of medical resources and lack of extensive medical knowledge on part of the ship captains and crew.”\textsuperscript{24} The \textit{Uniao} is an example of both brutal treatment and lack of medical resources. On board the \textit{Uniao}, there was a lack of a surgeon or medical professional. In addition, the \textit{Uniao} created a space for diseases to spread rapidly by cramming the enslaved Africans in a way that limited the amount of oxygen and fresh air. One of the diseases that spread on the \textit{Uniao} was smallpox. Smallpox was a commonly spread disease during the transatlantic slave trade. Smallpox usually caused pustules to form over the entire body that would scab and harden until they were scaled off.\textsuperscript{25} While captives were infected with smallpox, other symptoms would arise. The possible symptoms of smallpox could include vomiting, drowsiness, extreme pain, and bleeding from the nose or mouth.\textsuperscript{26} During the transatlantic slave trade, medical professionals often suggested providing patients with cool air.\textsuperscript{27} Whether or not it impacted the severity of smallpox, the \textit{Uniao} did not provide its captives with the

\begin{flushleft}
\textsuperscript{23} Ibid., 476. \\
\textsuperscript{24} Ibid., 479. \\
\textsuperscript{25} Ibid., 487. \\
\textsuperscript{26} Ibid., 487. \\
\textsuperscript{27} Ibid., 488. 
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suggested cool air. In the same way that diseases were complex, the anti-slavery movements that were created to abolish the slave trade were also complex.

The slave trade was one of the fundamental parts of society by the 1800s. However, by the year 1807, Britain began to pass multiple laws to prohibit the slave trade within Britain. Britain’s efforts to abolish the slave trade did not end with the abolition in their territories. Britain began to internationalize abolition and began to try to work with other countries to abolish the slave trade. In order to abolish the slave trade, the British began to develop treaties and create courts with the countries that participated in the slave trade. Nonetheless, many of the countries that Britain tried to work with were resistant to Britain’s efforts to abolish the slave trade. Portugal happened to be the most resistant to Britain’s internationalization of abolition.

The Congress of Vienna in 1815 marks the turning point of abolishing the slave trade.

The Congress of Vienna allowed Britain to convince other countries in Europe to “ratify increasingly powerful treaties against the slave trade.”

However, according to Seymour Drescher, “the other rulers’ reactions ranged from deeply hostile to abolition mildly sympathetic, more or less in proportion to their distance from, and interest in, the Atlantic system. All were wary about giving the world’s only super sea power more power at sea.”

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29 Seymour Drescher, *Abolition: A History of Slavery and Antislavery* (Cam-
Congress of Vienna, Britain had substantial “military and economic power.” Therefore, all of the other countries were willing to come to an agreement, but the other countries were not willing to do whatever Britain wanted. Out of all the other leaders, Portugal needed the most convincing. Conversely, at the end of the Congress of Vienna, Portugal agreed to work with Britain to gradually abolish the slave trade. Portugal’s reason for agreeing was documented in the Case of the Fortuna.

“His Royal Highness the Prince Regent of Portugal, being fully convinced of the injustice... of the Slave Trade, and of the great disadvantages which arise from the necessity of introducing and continually renewing a foreign and factitious population for the purpose of labour and industry within his South American dominions, has resolved to co-operate with his Britanic Majesty, in the cause of humanity and justice, by adopting the most efficacious means for bringing about a gradual Abolition of the Slave Trade throughout the whole of his dominions.”

In other words, Portugal agreed that the slave trade was harming their colonies in South America more than the slave trade was benefiting them. In addition, Portugal decided to co-operate with Britain and gradually abolish the slave trade in any Portuguese owned lands. The treaties created at the Congress of Vienna led to the establishment of Courts of Mixed Commission.

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After the ratification of the treaties created at the Congress of Vienna, Courts of Mixed Commission began to be established throughout the globe. The main objective of the Courts of Mixed Commission was to help abolish the slave trade. Britain established many different types of Mixed Commission Courts, and many of these courts were at various locations throughout the world. For example, “Under each of the treaties, one court was to be set up in a British possession, and another in a Spanish, Portuguese, or Dutch possession, respectively...courts were set up in Freetown, Sierra Leone; Havana, Cuba; Rio de Janeiro, Brazil; and Suriname.” The specific court that heard the case of the *Uniao* was the British and Portuguese Court of Mixed Commission in Sierra Leone. In the British and Portuguese Court of Mixed Commission in Sierra Leone, a British judge and a Portuguese judge would hear cases of captured slave ships and declare sentences together, other Courts of Mixed Commission had similar processes. The *Uniao* was a Brazilian schooner captured after Brazil claimed its independence from Portugal. However, Britain did not have any treaty or a Court of Mixed Commission with Brazil in the year of 1825. A treaty between Brazil and Britain would not be signed until November 23, 1826, and a British and Brazilian Court of Mixed Commission would not be established until 1828. Therefore, the lack of a British and Brazilian Court of Mixed Commission caused confusion about what to do with cap-

tured Brazilian slave ships.

Once the *Uniao* arrived in Sierra Leone, it was put on trial by the British and Portuguese Court of Mixed Commission. At the trial, it was clear that the *Uniao* was guilty of participating in the slave trade. One of the ways the *Uniao* was found guilty was that the enslaved Africans on board were taken captive in Lagos. In 1815, it became illegal to participate in the slave trade north of the equator, and Lagos lies about 6 degrees north of the equator.\(^{34}\)

According to the Convention between Britain and Portugal, signed at Vienna on January 21, 1815,

“it shall not be lawful for any of the subjects of the Crown of Portugal to purchase Slaves, or to carry on the Slave Trade, on any part of the Coast of Africa to the northward of the Equator, upon any pretext or in any manner whatsoever. Provided nevertheless, that the said provision shall not extend to any ship or ships having cleared out from the ports of Brazil previous to the publication of such ratification: and provided the voyage, in which such ship or ships are engaged, shall not be protracted beyond six months after such publication as aforesaid.”\(^{35}\)

In other words, Portugal could only participate in the slave trade south of the equator, or at ports, Portugal had owned previously. However, the *Uniao* was not the only Brazilian slave ship to participate in the slave trade north of the equator. According to Pierre Verger, “In 1826, the British consul, Charles Stuart wrote to the Foreign Office that nine-tenths of the annual importation of

\(^{34}\)  George Rendall, Esq., IUP 11, 39.

18,000 slaves came from north of the Equator, in defiance of the existing treaties.”\(^{36}\) The second way the Uniao was proven guilty was the number of tons the schooner had. The Uniao weighed about 118 tons. With that amount of tonnage, the vessel should not transport more than 295 captives at one time.\(^{37}\) According to Herbert S. Klein, the law about tonnage was a Portuguese law that was created in 1684 that stated “If the decked ship in which there are portholes through which the negreos can easily receive the necessary air, then capacity below deck should be 7 adults… for every two tons; not having said portholes, the capacity should only be 5 slaves per two tons below decks.”\(^{38}\) On November 24, 1813, the law was changed to allow five captives per two tons below deck regardless if there were portholes or not.\(^ {39}\) On the other hand, at the time of capture, the Uniao was carrying 361 captives. It was clear that the Uniao was guilty of slave trade once the Master Jose Ramos Gomis and the mate Jose da Rosa provided the same evidence in their dispositions. Both Gomis and Rosa, stated that “364 slaves were taken on board the Uniao, during the voyage, all of whom were shipped at the River Lagos.”\(^ {40}\) With this evidence, the British and Portuguese Court of Mixed Commission decreed the Uniao’s condemnation and the emancipation of all the captives on board on November 4, 1825. Conversely, there was confusion about the validity of the condemnation of the Uniao. The

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36 Verger, *Bahia and the West...*, 32.
39 Ibid.
40 Report of the Case..., IUP 11, 40.
court was unsure if the condemnation was valid, now that Brazil was an independent state. The British and Portuguese Court of Mixed Commission eventually decided that because “the owner of their vessel and cargo was clothed with a Portuguese National Character, then the condemnation was valid under treaties and the convention with Portugal.”  

41 If it pleased the King to have the Uniao’s condemnation invalid because of Brazil’s independence, then the British and Portuguese Court of Mixed Commission would retract their decision to condemn the Uniao.

During the years of 1822 to 1826, there were only 13 cases of Brazilian slave ships in Sierra Leone. These cases caused confusion for both the British and Portuguese judges. In these cases, it was unclear what to do with the slave ships. Due to the limited amount of these cases, the Uniao stands out as a unique case. The lack of clarity would lead Britain to create a treaty with Brazil in 1826 and establish a British and Brazilian Court of Mixed Commission in 1828. The treaty between the Portuguese and the British would be used as a guideline and added to the new treaty between the Brazilians and the British.  

42 Despite the lack of a Court of Mixed Commission, the treaty between Brazil and Britain at least gave the judges in Sierra Leone a clue as to what to do with the captured Brazilian slave ships.

In Sierra Leone, once a ship was condemned all of the goods on board the vessel were auctioned off. The Uniao was no exception. After the Uniao’s condemnation, the Court of Mixed Commission

41 Complete Report of the Case of the Uniao, The National Archives of the UK (TNA), HCA 35/9, 279.
held an auction to sell all of the goods and merchandise. The auction accumulated a total of 214 pounds, 13 shillings, and 3 farthings.\textsuperscript{43} The British and Portuguese Court of Mixed Commission divided the money up between the British, the Portuguese, and the captain of the vessel that captured the slave ship. Captains of captor vessels received prize money for capturing a slave ship and transporting the ship to Sierra Leone. According to the document containing Captain Murray’s earnings, Captain James Arthur Murray received a bounty of 3610 pounds.\textsuperscript{44} A bounty of 3610 pounds was considered the normal bounty for delivering 361 captives to Sierra Leone.

Following the \textit{Uniao}'s condemnation, the captives that were on board the \textit{Uniao} went through a process of liberation. Before the captives’ liberation, officials in Sierra Leone produced a registry of the captives that were on board the \textit{Uniao} containing their names and descriptions. The register states that a total of 35 captives died before they had the opportunity to have their descriptions taken. The 35 captives that died before their description consisted of thirty men, four women, and one girl.\textsuperscript{45} In addition, the total cases of dysentery and smallpox increased to 150 cases. The register sheds light on the captives on board the \textit{Uniao}. For example, the register shows that the captives were aged anywhere between fifty and eight. The register also provides a list of brands, such as AC, C, W, B, and an unclear mark that appears to be a mix of C and D, usually placed on either

\textsuperscript{43} Expense Report for the \textit{Uniao} (10 Jan. 1826), The National Archives of the UK (TNA), FO 84/49, p.28.

\textsuperscript{44} Captain James Arthur Murray’s Earnings, The National Archives of the UK (TNA), HCA 35/12, 184.

\textsuperscript{45} Register of Captives that were on board \textit{Uniao}, The National Archives of the UK (TNA), HCA 35/9, 266-272.
the right or left breast. Some of the men also had marks and tattoos on various locations on their bodies. The majority of the captives came from Yoruba. After the officials collected as much information as possible, the captives would go through a process of liberation.

The surviving captives of the Uniao went through the process of liberation in Sierra Leone. However, liberation did not equal freedom. The British and Portuguese Court of Mixed Commission not only condemned the Uniao, the British and Portuguese Court of Mixed Commission also called for the emancipation of the enslaved Africans where the captives were meant to be “employed as servants or free laborers.” The register kept by the Liberated Africans Department in Sierra Leone maintained a list that described the placement of each captive after the process of emancipation. This register describes how seventy-one men were “placed in public works at Sierra Leone.” The register describes how many captives were sent to the hospital before the captives went to their assigned places of work. The number of captives who went to the hospital after the process of taking descriptions was around forty-three individuals. In the register, it reveals that once the captives in the hospital recovered, the captives went to various locations. Unfortunately, some of these locations are hard to read. The number of those infected with diseases increased and more captives had passed away to Wilberforce after the captives went through the process of getting descriptions taken.

46 Ibid.
47 Report of the Case of the Uniao, The National Archives of the UK (TNA), HCA 35/9, 264.
48 Register of 214 people that were on board the Uniao (4 Nov. 1825), Sierra Leone Public Archives, SLR20322-20570, 26.
Fifty-five more captives passed away from the diseases that spread throughout the *Uniao*‘s captive population. The fifty-five captives that passed away consisted of forty men, eight boys, five women, and two girls. In addition to the number of captives sent to the hospital and the number of captives that passed away, this register also provides the names of people who «employed» the captives.\(^{49}\) For example, John Forsyth had two boys sent to him and Sarah Harding had one girl sent to her. Nevertheless, on this register, it is not hard to notice that only the boys and girls were assigned to specific individuals, but the men and the women were assigned to various locations. This register helps provide information on the process of liberation many enslaved Africans experienced in Sierra Leone.

The liberation of the enslaved Africans did not necessarily provide the captives’ with the freedom the word liberation alludes to. According to Daniel Domingues Da Silva,

> “Some [liberated Africans] faced conditions that differed little from enslaved people living around the world. At the other extreme might be the large numbers of [captives] had left their slave ships to return to their home countries, or… emerged as major merchants in Freetown, or who led broadly self-sufficient existences on smallholdings in the Freetown hinterland.”\(^{50}\)

Once a captive went through the process of liberation, they either had to enlist in the army or they were forced to complete about

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\(^{49}\) Ibid.

fourteen years of an apprenticeship. However, liberated Africans were sent to various villages “regardless of age and with no attempt to restrict their activities,” and within these villages, the liberated Africans “received no government support.” Liberated Africans were either forced into some form of servitude or left to fend for themselves in unknown lands with no support. Therefore, the word liberation in the context of the transatlantic slave trade does not comply with the word’s definition.

The case of the Uniao was unique. It was one of the 588 slave ships with a mortality rate of 32 percent or higher. The Uniao was also one of the Brazilian ships captured between Brazil’s independence and the establishment of the British and Brazilian Court of Mixed Commission in Sierra Leone. While the case of the Uniao cannot be used to generalize the transatlantic slave trade, the Uniao exemplifies the inhumane conditions of the transatlantic slave trade that allowed for diseases to spread and the complexities of British antislavery movements in Portugal and Brazil of the 1820s.

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